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THE
PRESENT STATE
OF
Trinity College
IN
CAMBRIDGE,

In a LETTER from Dr. Bentley,
Master of the said College,

To the Right Reverend

JOHN Lord Bishop of Ely.

Publish'd for general Information by a
Gentleman of the TEMPLE.

———Indomitam audeat
Refranare licentiam,
Clarus postgenitis; quatenus (heu nefas!)
Virtutem incolumem odimus,
Sublatam ex oculis, querimus, invidi.

L O N D O N;
Printed for A. Baldwin in Warwick-Lane.
M. DCC. X.



THE Publisher to the READER.

THE Master of Trinity, having for his own Vindication, distributed written Copies of the following Petition and his Answer, among some Persons of Quality, it was my Fortune to meet with one of them; and I was soon engag'd by the great Esteem I had for Dr. Bentley's Name in a careful Perusal of both. I must confess, that the more I consider'd the Answer, the higher my Indignation was rais'd at the Malice and Impudence of the Accusers. I believe the Reader will be so far from thinking me too severe, that I persuade my self, when he has compar'd these things together, he will form such an Opinion of these Persons in his own Breast, as I shall beg leave not to express in Words. Thus far I take the Liberty to say (for having a List of the Subscribers Names, I made it my Business to inquire after their Characters) that it is no wonder to find Enemies to the present Administration uneasy under the good Discipline in their own College. For they must own, tho never so unwillingly (because it is known to the whole Nation) that Vertue and all manner of Learning have been encourag'd by Dr. Bentley as far as his Power could reach. Are we not then forc'd to think that upon these accounts it is they are secretly angry with him, and to avoid the shame of declaring this publicly, pretend Male-Administration as to the Revenues of the College? The Reader will at first sight find, that there is not the least ground for this pretence; nay that in this very branch he has done more for the Interest of the Society than any (I may say than all) the Masters since the Foundation. Must not a By-stander then be astonish'd to see some Gentlemen of the University (who at least in good Manners should pretend to Learning) by all the vile and malicious ways endeavour to blacken that Person whose Character, both at Home and Abroad, was their greatest credit? It was a sufficient Argument with me, and I dare venture to say it will appear the same to a Man of but common Justice or Love for Letters, at least to suspend my belief of what was industriously, and I may say maliciously reported to the disadvantage of a Person to whom Religion and Learning were so much indebted. Was not he the first that discover'd the unknown use of the excellent Sir Isaac Newton's Principia Mathematica, and successfully applied that Theory to demonstrate the Being of God? Have not all the Writers upon that Subject copied after his Boyle's Lectures? And have not the Atheists been silent since that time, and shelter'd themselves under Deism? Give me leave to mention some of the most shining Names in the Com-

The Publisher to the READER.

monwealth of Letters who have mention'd Dr. B—— in their Books with distinguishing Appellations, such as they bestow upon few or none but himself; as Spanheme's Callimachus, his Julian. Grævius's Callimachus, his Alberti Rubenii Dissertatio, Dedicated to Dr. Bentley. Albertus Fabricius his, Marinus's vita Procli, Dedicated to Dr. B. Bibliotheca Græca: Mr. Wolfius's Dissertatio de Manichæismo hujus ævi; His Origen's Philosophumena. Olearius's Philostratus, Gr. Lat. Hemsterhusius's Pollux, Græc. Lat. Our own Learned Country-men, Dr. Potter in his Lycophron; Mr. Needham in his Hierocles; Mr. Davis in his Tusculanæ Quæstiones.

I shall take the liberty to speak the Sense of all these out of the new and noble Edition of Aristophanes by Dr. Kufter, a Name known to all that are not Strangers to the present State of Learning. There the Learned Author, besides the general Epithets of Eruditissimus, Præstantissimus, Περυπαδὲς αὐτῶν, Illustris, frequently given to Dr. B——, has these peculiar expressions concerning him: Vir supra Captum sæculi sui doctus: Vir egregius & maximum literarum nostrarum decus: Magnum hodie Literarum decus & incrementum: Incomparabile auctoris sui judicium & acumen. And in the same Work the most Learned and Incomparable Spanhemius, the King of Prussia's Ambassador to Her Majesty, thus styles Dr. Bentley: Vir insigni & recondita Doctrina: Vir consummatissima Eruditione: Magnum hodie literarum ac eruditæ Britanniae decus: Vir ut exquisita Doctrina & reconditis Literis, ita Sagacitate incredibili. I leave it to the Reader to form what Judgment he pleases not only of some Gentlemen of the University, but also of some Reverend Divines of this City, who ignorant of all the College-proceedings, yet with as much boldness as if they had Demonstration on their side, publicly traduce one great Ornament of their Order. There is nothing to be said in their excuse but that the present best Ministry does not escape their severest Censures. Yet I must do this piece of Justice to the University, as to say that the worthy Men there, and they are not a few, have, as I am inform'd, the greatest Veneration for Dr. Bentley: and indeed the Clergy here, who are eminent for Learning and Piety, speak with all the esteem and respect imaginable of him. If I was ask'd the Reason of publishing these Papers, I should answer, because I thought it an inexcusable Fault to conceal them. For tho Dr. Bentley's consciousness of the Good which he has done for the Society, and the tenderness he had for the Reputation of some of the Accusers might make him averse to the Method I have taken, yet sure Malice and Falsehood should not prevail, because an injur'd Person rests secure in his own Innocence, and does not vindicate himself publicly, lest it might bear hard upon the Characters of his Adversaries.

THE
PETITION
OF THE
Fellows of *Trinity-College*
AGAINST
Dr. BENTLEY.

I Receiv'd this Appeal from the Fellows
of *Trinity-College*, by the Hands of
Mr. Edmund Miller, the Tenth of
February, 1709.

J. E.

To the Right Reverend Father in God
JOHN Lord Bishop of *Ely* Visitor
of *Trinity-College* in *Cambridg* upon the
Fortieth Chapter of the College-Stat-
utes entitled *De Magistri (sires exi-*
gat) amotione The humble Petition
and Complaint of the Vice-Master
Senior Fellows and many of the Doc-
tors in Divinity and Masters of Arts
B Fellows

Fellows and Members of the College of the Holy and Undivided Trinity of the University of Cambridg of King Henry the Eighth's Foundation in behalf of themselves and the rest of the Members of the said College against Richard Bentley Doctor in Divinity now Master thereof

Shew

THAT the Fellows and all the Members of the said College having for many years liv'd with a great Respect and Love to their former Masters and in a perfect Amity one with another in the year of our Lord God 1700. when the said Dr. Bentley first came to be their Master the Peace of the said College was soon disturb'd by his demanding and taking of the said College several unusual and great Sums of Mony which he apply'd to his own use And almost every year since by his continual making new Demands of Profits and Perquisites for himself and by his taking and threatning to take away sometimes with the forc'd Consent of the governing part of the College and sometimes without any Consent at all several known Privileges and Perquisites from the rest of the College in general and even Fellowships and Scholarships from several in particular and by his threatning and assuming to inflict several unstatutable and (before his time) unheard-of Punishments upon several of the Fellows

Fellows for no other reason but because he heard they talk'd against his Proceedings And by his using violent and unworthy Methods whereby he has prevail'd with some few of the College to espouse his separate Interest the Peace of this Royal and Ample Foundation has not only for many years been wholly broken but the Statutes have been violated and the Goods of the College wasted and many of the Fellows reduc'd to great necessity by his lessening the Value of their Fellowships which were before but very small Nevertheless the Fellows and Members of the said College out of a peaceable Disposition and being persuaded by the said Dr Bentley's fair Promises which he constantly made upon his gaining every new Advantage that they shou'd enjoy Peace and Quietness for the future and out of respect to those that made him their Master tho they cou'd not be wholly silent they were unwilling pablickly to complain to their Superiours till now again this last year the said Dr. Bentley not only making another exorbitant Demand of Profits to himself but in order thereunto endeavouring to make an alteration almost throughout the whole College in their Dividends and Dues whereby they are maintain'd and which they and their Predecessors have for many years enjoy'd and that in a partial manner and by such methods as are before mention'd We are necessitated at this time to petition and complain to your Lordship promising within a convenient time to lay before you in such method as you shall appoint the several particulars wherein the Truth of what is here alledg'd will manifestly appear Humbly
B 2
craving

craving in due time such Sentence as to your Lordship's Wisdom and Justice shall seem meet.

Feb. 6. 1709.

Wolfran Stubbe *D. D.*
and Vice-Mr.

P. Cock *Sen. Fellow.*

Geo. Modd *Sen. Fellow.*

Edw. Bathurst *Sen. Fellow.*

Nat. Rashleigh *Sen. Fellow.*

Tho. Smith *D. D. Sen. Fellow.*

John Cooper *B. D.*

Nat. Hanbury *B. D.*

John Laughton *by his Consent by Letter.*

Stephen Cressar *D. D.*
(died Feb. 4.)

Abra. Jordan *M. A.*

William Drury *M. A.*

Mat. Barwell *M. A.*

I desire that all Matters mention'd in this Petition may be refer'd to the Cognizance and Determination of my Lord the Bishop of Ely, John Colbatch D. D.

William Ayloff *L. D.*

Edmund Miller *M. A.*

Ja. Brabourn *B. D.*

L. Brodrick *D. D.*

Ralph Welstead *M. A.*

Ri. Stokes *M. A.* *gave his Consent by Letter.*

I desire the same that is mention'd by Dr. Colbatch, William Wade M. A.

I desire the same that is mention'd by Dr. Colbatch, Griffith Williams B. D.

Samuel White *M. A.*

Will. Chamberlain *M. A.*

Jo. Craister *M. A.*

Edm. Stubbe *M. A.*

Jo. Paris *M. A.*

Tho. Blomer *M. A. Fellow.*

Conyers Middleton *M. A. Fellow.*

John Felton *M. A. Fellow.*

Dr.

Dr. Bentley's Letter, &c.

At Her Majesty's Library,
Febr. 13. 1709.

To the Right Reverend Father in God,
JOHN Lord Bishop of Ely.

My LORD,

I Receiv'd from your Lordship on Saturday last the 11th of *February*, 1709. by the hands of your Secretary a Paper address'd to your Lordship by some of the Fellows of *Trinity-College* in *Cambridg*, containing several Complaints against me of Male-administration, since I have been Master of the said College.

I find it to be according to expectation, and the known Abilitys of him that compil'd it, a loose incoherent Draught of general Accusations, that till they shall be supported with particular Instances and Matters of Fact, can have no weight at all with your Lordship, nor deserve any other answer from me, but Silence and Neglect. Besides, that in all the Circumstances of its coming before your Lordship, it's so contrary to the due Forms directed and enjoin'd by Statute; that were the
Matter

Matter of it as true, as it's false and malicious in every part, it would be utterly void and null even on that account alone.

However, my Lord, being conscious to my self of the many good Services I have done the said College, and of the just and lawful means I have us'd to compass them, and being very ready and willing not only before your Lordship, but before all the world, to give an account of my Proceedings, and lastly, being fully persuaded that this formidable Complaint is the last Struggle and Effort of Vice and Idleness against Vertue, Learning and Good Discipline; I have resolv'd out of hand to give your Lordship the trouble of this Letter, transcribing every word of the said Paper, and answering it all Paragraph by Paragraph.

The Paper is thus endors'd by them, *The Petition of the Fellows of Trinity-College against Dr. Bentley.*

Your Lordship easily sees a Falshood in the very Title of this Paper. *The Fellows* in common Sense and Language ought to signify no less than *all the Fellows*. And yet out of our whole number Sixty Five, there are no more than thirty Names subscrib'd to this Complaint; notwithstanding the Promises and Threats and other unfair ways (which can be prov'd upon Oath) made use of to procure them. And of those thirty, one was dead before the Paper was presented; two more were no Members of the College, even when they subscrib'd; three others subscribe in such Expressions, as they do not join in the Accusation; two more have not resid'd in College, during all my ten years; and more of them have been absent much the greater part of that time; two of them order their Subscriptions by Letter, without having seen a Copy of the Paper; several of them have since acknowledg'd they mistook the Design of it; six more have been under College-Censures for

for Immoralities and Crimes: and lastly, most of the remainder are Men of such profligate Lives, so unqualify'd every way for the Stations they hold; that your Lordship will be apt to wonder that such Men are suffer'd there, much more that they dare accuse; till you are told that they cannot be statutably expell'd, without the Consent of their own Majority.

Your Lordship with your own hand has added this Endorsement:

" I receiv'd this Appeal from the Fellows of *Trinity-College* by the hands of *Edmund Miller*, the 10th of *February* 1709. J. E.

And then comes the Appeal it self:

" To the Right Reverend Father in God *JOHN* Lord Bishop of *Ely* Visitor of *Trinity-College* in *Cambridg* upon the fortieth Chapter of the College-Statutes intituled *De Magistri (si res exigat) amotione* The humble Petition and Complaint of the Vicemaster Senior Fellows and many of the Doctors in Divinity and Masters of Arts Fellows and Members of the College of the Holy and Undivided Trinity of the University of *Cambridg* of King *Henry* the Eighth's Foundation in behalf of themselves and the rest of the Members of the said College against *Richard Bentley* Doctor in Divinity now Master thereof."

Your Lordship will please here to observe, That what was named in their Endorsement *The Petition of the Fellows* now dwindles into the Petition of *Many of them*: and yet those *Many* are the minor part of the whole Society. The others, who refuse their Concurrence to this Accusation, are not only superiour in Number, but much more so in Worth and Reputation, being the very Flower and the main Hope of the College for their Learning, and Sobriety.

Your

Your Lordship will likewise observe the Calumny and Impudence of that Expression, *In behalf of THE REST*; when it's notorious in fact, that *the rest* (who have not subscrib'd) disown and disclaim the whole Proceeding of these Persons; and most of them (if there was occasion) would subscribe an Address to your Lordship in terms quite contrary to this Complaint.

Your Lordship will please further to take notice of those words, *Visitor of Trinity-College, upon the fortieth Chapter of the Statutes de Magistri* (sires exigat) amotione: whereby they wou'd insinuate (and they have openly declar'd the same) that your Lordship's Power as Visitor is confin'd to this particular Case, *viz.* That your Lordship can punish the Master, if he shall be found culpable; but can take no cognizance of any Fellows, be their Actions ever so criminal. This, my Lord, is a very material Point; and for the Good of the Society ought to be fully settled and put out of doubt. I have stated the Case for your Lordship's use, in a Paper that accompanys this. If your Lordship's general Visitatorial Power be enacted by the Statutes, I perhaps with many more of the Society, as soon as this Complaint is determin'd, shall make another to your Lordship about the scandalous Lives, Insufficiency in Learning, and seditious Practices of most of this Gang. But if your Power (as they suggest and hope) be confin'd to the Master alone, we promise to our selves your Lordship's good Offices towards obtaining a Redress from the proper Authority.

In your Lordship's Endorsement it is said, *That you receiv'd this Appeal by the hands of Edmund Miller.* Upon which, my Lord, I crave leave to remark, that the said *Edmund Miller* was not then a Member of our College, being statutably ejected out of his late Fellowship for Incapacity upon the eighteenth

eighteenth of *January* last. But were he now as much a Fellow as ever, yet he has no Right nor lawful Commission to offer to your Lordship the Fellows Complaint against the Master; being unqualify'd by that very fortieth Chapter of Statutes, upon which alone they now proceed: For by the express words of that Statute, the Eight Seniors, or the major part of them (and no others) are * in Person to lay open the whole Matter to the Visitor; and so by the old Statutes of King *Edward* the Sixth, The † Vice-Master, and Senior Dean, by the Authority of all the Seniors; are to be sent to the Bishop of Ely. Your Lordship therefore will please to think, that this Complaint cannot be legally laid before you by Mr. *Miller*, nor by any others that are not of the Seniority.

And if *Edmund Miller* has no Right to present the Complaint; he has as little to subscribe it. The Subscriptions of him and others (above the number of the Eight Seniors) which with Ostentation, *ad augendam invidiam*, are added to this Petition; are so far from giving more force and weight, that they invalidate and void it. The eight Seniors alone are, by the Statute, declar'd to be the proper Complainers: the reason of which is obvious, because they alone can know matter of Fact in all Affairs relating to the Government of the College. The Master and eight Seniors debate and determine all those Transactions in private Meetings, exclusive of all others; and || upon penalty none is to reveal to any other Member of the House what passes

* Vicemagister & reliqui Seniores, vel major pars eorum, rem omnem Visitatori aperiant.

† Propraeses & Censor senior Senatûs auctoritate ad Dominum Eliensem mittantur.

|| Stat: 11. Statuimus porro ne quispiam octo Seniorum post consultationem de negotiis quibuscunque dicta vel facta in hujusmodi rebus intervenienda revelet, sub poena, &c.

at such Meetings. How then, my Lord, can those other Subscribers be lawful Evidence against the Master upon the Subject of this Complaint? Whereof they can know nothing personally, but barely by Report, and by such Report too as is positively forbid by Statute. This intirely disables those others, tho they were all along resident in College: What then must one think of such as have generally absented? What of such, as have scarce been there ten Days in the space of my ten Years? Certainly, my Lord, an Accusation by such Persons, exhibited to a Magistrate, is a Calumny *ipso facto*; is in their Assertion false, were it even really true; and a Complaint under such a management has the Face and Crime of a Libel.

Nay further, my Lord, if the whole Seniority or major Part had presented this Complaint subscrib'd by themselves alone; yet it wou'd be null and of no force, for defect of other Circumstances requir'd by the said Statute: For before even the Seniors can legally accuse the Master to the Visitor, they are first to try fair means in private in order to his Amendment: *They † are (as they'l answer it to our Saviour at the day of Judgment) to admonish him with all Lenity and Modesty; and if he do not amend upon one Admonition, they are to do so again: and if after both those Advices he do not amend; then, and not before, they are to open the Matter to the Visitor.* Now, my Lord, it will not be so much as pretended, that I have thus been admonish'd about any matter here complain'd of. And indeed how cou'd I be ad-

† Per Vicemagistrum & reliquos 7 Seniores, aut per majorem partem eorum (quorum conscientiam quantum possumus in hac reoneramus, sicut Domino Iesu rationem reddituri sunt) cum omni lenitate & modestia admoneatur. Qui si hoc modo admonitus non se emendaverit, secundo similiter admoneatur; sin autem, ne tunc quidem, respuerit, &c.

monish'd?

monish'd ? These very things, now objected as Crimes, being hitherto acknowledg'd both at Home and Abroad as great Benefactions, and the difficulty of the Master's obtaining them increas'd their Value.

My Lord, I do not insist on these Exceptions, as if thereby I declin'd an Enquiry into my Conduct. I even invite them to go on in their particular Allegations ; and make no question but I shall so answer them, as to do my self publick Right. 'Tis your Lordship's part to consider, whether you can judicially determine upon an Information so wrong, so defective in all its Forms. Saving therefore all Rights to my self, I proceed to the humble Petition and Complaint, which thus began, and

Shew " That the Fellows and all the Members
 " of the said College having for many years liv'd
 " with a great Respect and Love to their former
 " Masters and in a perfect Amity one with another
 " in the year of our Lord God 1700. when Doc-
 " tor *Bentley* first came to be their Master the
 " Peace of the said College was soon disturb'd.

The first Proposition laid down is, *That the Fellows and all the Members liv'd in great Respect and Love to their former Masters.* Where your Lordship will observe, that they actually mean, and must mean, the *Present* Fellows, and all the Members, by some of whom, and *in behalf of the rest*, this Petition is said to be made : For their Argument runs thus, We liv'd lovingly with former Masters, but cannot do so with Dr. *B.* But if they meant a *former Society*, as well as *former Masters*, this Preamble wou'd be wholly impertinent. Your Lordship therefore from this beginning of theirs, may make a conjecture of what's to follow : For of the whole present Society Sixty Five, there are but now Twenty Four, that were not admitted Fellows by my self ; so that the other Forty One did

not live Fellows at all under any former Master ; and of those Twenty Four, there were Fourteen made Fellows by the Master my last Predecessor, So that only Ten of all the present Society liv'd at all under former M A S T E R S ; and of their *great Love and Respect to them*, and their *perfect Amity to each other*, I find no Tradition.

Were it true, my Lord, that these Men liv'd with such great Respect and Love to their former Masters ; yet the Case was different then from what it is now. They were then of inferior standing, and had no share in the Government of the College ; the very eldest of all these Subscribers was made a Senior Fellow in 1699. but one year before I was Master ; and the rest of the Eight were admitted Seniors by my self. 'Tis no such great Commendation then, tho they had liv'd more respectfully under former Masters, when they had less power to do Mischief. But did they really live with so much *Respect and Love* ? We have an Example of that in their Usage of Dr. North, my last Predecessor but one ; who about 1680, when he endeavour'd to restore a little Discipline, was so affronted and provok'd by these Men or their Contemporaries, that the Passion threw him into an Apoplexy, and not long after cost him his Life.

For my own part, my Lord (tho that's a matter I lay no stress on) I believe I have as much *Respect and Love* there as any of my Predecessors had ; and I take this very Case to be a proof on't, where the Majority of the College cou'd by no Sollicitations be engag'd in this Complaint against me. If in this Age of Partys and Dissensions, some few dislike me on that account, 'tis impossible to help it ; and excepting these, I do not want the good Word and Love of any, but of such Wretches, whose Commendations wou'd be more scandalous than their Railings : For no one can have favour of those, if he is not like them in their Vices. But

But it seems in the fatal Year 1700, when Dr. Bentley first came to be their Master, the Peace of the said College was soon disturb'd. I am strongly tempted, My Lord, to plead guilty to this part of the Indictment; for when I had the Honour to be nominated to the Mastership of that College, I was sent thither on that very account, to awaken it out of that drowsy Peace: *Ubi desidia & torpor est, pacem vocant.* If an agreement in Laziness, and the neglect of all useful Studies; if an access to College Preferments by mere Seniority, without any regard to Merit; if the squandering the publick Revenue in Luxury, and their own in Drinking and Gaming; if an Impunity for breach of Statutes, without any check or controul, be call'd *The Peace of the College*; then I fear I may be truly Indicted for a disturber of that Peace.

For many Years before 1700, tho the Statutes expressly appoint an Election of Scholars every Year, they *peaceably* agreed to have it only every other Year. Tho the Statutes declare, that Inceptors in Arts are to lay down their Scholarships at *Easter*, the time of annual Election, that the new Candidates may then come into them; they continu'd the Inceptors in them till the following Commencement, from which time they were void till *Easter* after: and by these two frauds about twelve Scholarships were perpetually kept vacant, and about One hundred and fifty Pounds a Year robb'd from the Youth of the College. And tho the Statutes enact, that the very lowest Years are capable of receiving Scholarships, they *peacefully* excluded all except Junior and Senior Sophisters; so that no one admitted into the House cou'd have the Emolument of a Scholarship, till he was three Years standing at least, and *alternis annis* four, to the great injury and discouragement of all such as came thither. Now when these Abuses were reform'd
by

by me in 1700, no doubt it gave a great *disturbance to the Peace of the College.*

Before 1700, during the four Statutable Days of sitting for Fellowships, Open-house us'd to be kept at some Tavern from seven a Clock in the Evening till past Midnight; there the Candidates entertain'd all such Fellows as wou'd come, and those that got the Fellowships paid the whole Reckoning at last. A pretty way of Access into a Society, at the very time of Probation. One Night had so pass'd before I was inform'd of that scandalous Practice; and in that one Night the Reckoning came to Six Pounds, when Wine was much cheaper than now. The like Excesses were practis'd at taking Degrees, at being first made Scholars of the House, at the Admission of those of *Westminster School*: And for me in 1700 to deprive the then Fellows of their right to so much Wine, was certainly *to disturb the Peace of the College.* And 'tis that Peace, and these laudable Customs, that most of these Petitioners hope to see restor'd.

But then another *great disturbance*, was my interposing in the Revenue of Chambers appropriated to the Library. Bishop *Hacket* at his own charge added a Building to the College, call'd *Bishop's Hostel*; the Rent of it being about fifty Pound a Year, was assign'd by his Will to purchase Books, and an equal Sum for the same use rose annually out of Chamber Rents in the second Court. This Money for several Years, to the Sum, as I believe, of One Thousand Pound, they had interverted; and instead of laying it out in Books for Posterity, had put it in their own Pockets. And when upon my coming in 1700 I put a stop to this Corruption, *the Peace of the College was much disturb'd*, and the Seniors were very clamorous to have this Robbing allow'd again at every Audit for five or six Years together.

But

But the *greatest disturbance* of all, which made an Uproar in the College for some Weeks, was about the disposal of College Chambers and Livings. By the 26th Statute * the Pre-election of Chambers is to a Batchelor of Divinity before any Master of Arts, and to one Batchelor of Divinity before another according to Priority of the said Degree. And by the 30th Statute, the Pre-election of College Livings † is after the same manner; but for other by Reasons, and to preserve, I suppose, *the Peace of the College*, not one had proceeded Batchelor of Divinity for above twenty Years before I was Master. Now it happen'd in 1702, that in right of these two Statutes, and in prospect of my assistance, four Fellows, about the middle of the whole number, proceeded in that Degree; and upon the next Vacancy of a good Chamber, one bold Man of them demanding his Right, did not think himself safe amongst them by their loud Menaces and lifting up their Fists at him; for there were twenty above him, mere Masters of Arts, and among them most of the very eight Seniors. When the Appeal was made to me, they had the Impudence to assert and to declare it upon their Conscience, at several meetings; that *Senior secundum gradum* did not mean Senior according to Degree, but according to *Admission*; and they had persisted in't to the last, if the four had not articked to make no use of this Right against any of the Seniors. Here my Lord, is a great Example of their perfect *Amity one with another*, and of their upright Interpretation of Statutes. At another time the same men voted, that *unus vel plures, one or more*, could not possibly mean two. What a Province,, my Lord,

* Seniore[m] secundum suum gradum juniore[m] semper præferendum statuimus. † Socio secundum gradum maxime seniore omni[n]o conferri volumus.

has a Master, that is to deal with such Men ? If his Interest and theirs shou'd happen to clash in any Statute, they wou'd hardly stick to vote, that *NON* was an Affirmative.

These Disturbances of the Peace, my Lord, I do confess my self guilty of ; for the Facts are notorious in the Society, and can be prov'd upon me by a Cloud of Witnesses.

But the Petitioners give other Instances, and affirm, " That Dr. *Bentley* disturb'd the Peace by his " demanding and taking of the said College several " and great Sums of Mony which he apply'd to " his own Use."

By this Expression, *to his own Use*, your Lordship will be apt to think, that I am charg'd here with imbezling the College-Mony, which was put into my hands for the publick use : An Accusation so impudently false, so contrary to the Sense of the Society, that if any Person whatsoever can convict me of the least Corruption to the value of a single Farthing, either in this way, or in letting any Lease, or in disposing any Preferment, in all the ten years I have been Master ; even that Farthing shall condemn me with the loss of my Place.

But this is nothing else, my Lord, but the exactness of Mr. *Miller's* Stile ; his meaning, I suppose, or, I dare say, that of most of the Subscribers, is no more than this, That Dr. *Bentley* apply'd several great Sums of College-Mony *to repairing his own Apartment*. As if what is done to the publick Building for the Use of all Masters hereafter, and the Honour and Ornament of the whole College ; for the Use of their Lordships the Judges, who for a whole Century have twice every year been receiv'd and lodg'd there ; for the Use of the Crown (for whenever the Prince honours the University with a Visit, he is entertain'd in *Trinity-College*) was solely for the private use of Dr. *Bentley* and his Family.

Your

Your Lordship well remembers the old Apartment, and have done me the Honour to make me a Visit in the New; and by that Comparison can judg of what I affirm, That if the New is now the best in *England* of its kind (as in proportion to the College it ought to be) the old one by long Decay, and want of Repairs and Furniture, was the very worst. Not one Person of Sense or Generosity, that remembred the Meanness of the late King's Reception in the Old, and the Decency and Magnificence of her present Majesty's Entertainment in the New, but thought the Honour of that Day alone a sufficient Recompence for all the Charges of the Alteration: and the University's Expences for that single Dinner amounted to full as much, as what the whole College (without the Master) disburs'd for the whole Repairs.

My Lord, all Uneasiness about this Charge seem'd to have been long since bury'd in Peace and Oblivion; not a Farthing of College-Mony was expended, but what was order'd and allow'd by the Seniors themselves; and not one Fellow, as I believ'd, wish'd the thing undone, till an Incendiary, who thinks he has his Ends and Interest in making a breach between Master and Fellows, began to rake in the old Embers, to furnish more matter for an Accusation.

He makes the Subscribers here say, *That I DEMANDED several great Sums of Mony*; whereas it is very well known, that at my first coming the then Seniors propos'd to me the Repairs without my demanding, and all Eight subscrib'd their Names in the College-Register to order the Work. April the 11th, 1700. Order'd then by the Master and Seniors, *That the Master's Lodg be repair'd and finish'd with new Sealing, Wainscot, Flooring, and other convenient Improvements; towards which Expence*
D the

the Master will contribute de proprio the Sum of One hundred Pounds Sterling.

R. Bentley, <i>Magister Collegii,</i>	
Ed. Chester,	Tho. Bainbriggs,
Geo. Modd,	Will. Corker,
Edw. Bathurst,	John Ekins,
Nat. Rashleigh,	W. Stubbe.

When I offer'd, my Lord, at that Meeting, to give that hundred Pounds of my own, it was generously refus'd and withstood by several of the then Seniors ; because, said they, 'tis the College that is bound to repair the Master's Apartment, the Master being annually the greatest Contributor to the Repairs and Improvements of Ours. Your very Quota in the general Charge (besides any free Gift) is full enough for your Share ; which perhaps was one main reason why your Predecessors did not repair it before you. You especially ought to be excus'd from giving, who have yet no Emolument from the Mastership, and may die e'er the Repairs are finish'd, which must all be left behind you. However, my Lord, notwithstanding these Remonstrances, I subscrib'd the said hundred Pounds, as the Order shews, and have actually paid it, and much more.

If it be false that *I demanded*, it is equally so, that *I took SEVERAL great Sums of Momy*. Mr. *Miller*, who drew the Paper up, may, for ought I know, believe so ; but the Seniors, who blindly subscrib'd it, without considering or regarding the Contents, know this Article to be false : For the very Audit-Books of the Bursars, *pass'd* and approv'd by all the Seniors, and preserv'd as College Records, plainly shew, That the then Bursar (Mr. *Spencer*) paid all the Momy directly to the several Workmen, without my touching a Penny of it ;

it ; and that I never had in my own hands but one Sum on that account, and that no very great one, and five years after the Work was begun ; which with much more of my own was paid by me for the use appointed.

If Mr. *Miller* means literally, that *I apply'd the Money to my own use*, and did not lay out *that last Sum* upon the Building ; I shall certainly be found out, when I give my account for it. For I took it at the desire of the present Bursar Mr. *Modd*, who by the sudden Death of Mr. *Spencer* cou'd not well know what the several Workmen had receiv'd in part. To prevent therefore his Trouble and Mistakes, I undertook that part at his request ; and because a Room or two yet want finishing, 'twas agreed between me and the Seniors, That I shou'd have time till next Summer to make up the whole Account before them ; and in the mean time they have triple and quadruple Security for it, having a Thousand Pounds of mine in their hands, which I have lent the College these four years. And your Lordship will observe this Specimen of Mr. *Miller's* Honesty, and his Subscribers Capacity and Attention, who are drawn in to accuse me of *applying Money to my own use*, before the Account of it is made or demanded.

It will then, my Lord, fully appear (as to knowing Men it does already) that I have been so far from applying the College Money *to my own Use*, that it has cost me more upon the Master's Apartment, than wou'd have built one *a fundamentis*, tho much less indeed, but more commodious for me and my Family. Since which time, not to mention several smaller Contributions, I subscrib'd and have paid two hundred Pounds towards repairing the College-Chappel ; and in short it's notorious, That I have already (besides what may come hereafter) been at more Expences towards the College-Fa-

brick, than any of my Predecessors, except one, since the Foundation.

“ And almost every year since by his continual
 “ making new Demands of Profits and Perquisites
 “ for himself and by his taking and threatening to
 “ take away sometimes with the forc’d Consent of
 “ the governing part of the College and some-
 “ times without any Consent at all several known
 “ Privileges and Perquisites from the rest of the
 “ College in general.”

The first Charge in this is, *That I have been always making new Demands for my self.* But it seems there is no harm done yet, but bare disturbing the Peace, since I have not obtain’d them; for if I had, they had been *Encroachments*, and not fruitless *Demands*. However, my Lord, I here challenge them to specify these Demands; and I’ll venture to predict that they will not produce one: for these pretended Demands must be different from those of the last year, that follow in the Sequel of this Petition.

I, my Lord, will reduce to their Memories one *continual Demand* I have made to no purpose; which otherwise they’ll be very apt to forget in their next Paper. A new Lease cannot be seal’d but with Consent of the Master and the Majority of Sixteen Seniors of the College, attending then in Chappel. And the Thirty Fourth Statute declares, *That * for Sealing-Mony the Sixteen shall have out of any Fine One Shilling each, and the Master two, AND NO MORE*; and the Remainder of the Fine shall go to the whole College. Now in open breach of this Statute, and plain robbing of the Junior Fellows, for that one Shilling they will take Ten; and instead of about Thirty Pounds a year, they

* Pro indenturis & locationibus singuli Socii prædicti 12 denarios, magister autem duos solidos recipiat TANTUM, Quod superesse potest, ad Collegii usum conferatur.

defalc *communibus annis* Three hundred Pounds from the Total of Fines ; Two hundred and Seventy Pounds whereof shou'd go to the *College in general*. This *known Perquisite* brings the Master about Forty Pounds a year, and each of them about Twenty. And when, in detestation of it, I have demanded to keep to the Statute ; the Answer is, That if I insist on that, they'l never consent to the sealing of one Lease. Thus they force the Master to comply with, and partake in their unjust Incroachments over the rest of the House ; and several idle Drones of the upper part of the Society live sauntering in College merely for the droppings of these Fines (which fall occasionally any time of the year) doing no sort of Academick Exercise, studying no part of Learning, serving only to haunt Taverns, and eat Commons in the Hall, and thereby for the sake of Three hundred Pounds, to cost the College Four.

Your Lordship will judg whether this Demand was made for Profit to my self. I shall mention another thing which I have likewise demanded : The Vicemaster, the Senior Burfar, and Senior Dean (always being of the Seniority, *the governing part of the College*) in the time of the Rebellion, in the absence of the then Master, did without any Authority make yearly Augmentations to their own Salarys ; and at the Audit paid one another without the consent or even knowledg of most of the Society. There is nothing like it made to the Master, nor to any other Officer or Lecturer of the House. This Incroachment upon the publick Mony, as a *known Perquisite*, has continu'd ever since, and like that of Sealing-Mony last mention'd, will never be mended among our selves, without *great Disturbance of the Peace*, and the *forc'd Consent* of their own Majority. But we may hope, my Lord, now a Visitation is call'd for, to have both these Corruptions redress'd

dress'd by a higher Power. The Justice of the thing is manifest : and if the Sense of the College be of any moment, let the whole Society Sixty Five be put to their Suffrages ; and if the Majority (even without the Master's Vote) do not cast out both these Usurpations, let them patiently truckle under them for ever.

The Petitioners say by the mouth of Mr. Miller, *That I threaten'd to take away sometimes with the forc'd Consent of the governing part of the College.* A parcel of words put together after his peculiar manner. For cou'd I be so foolish to make such a Threat ? *To take away with the forc'd Consent.* And how can the governing part of the College be forc'd ? But, I suppose, his meaning is, *That I have actually taken away some, and threaten to take away more of the known Privileges and Perquisites of the College in general.* Where your Lordship will please to observe, That they are not call'd *due*, or *just*, or *lawful*, but only **KNOWN** *Perquisites* : and yet I'll venture again to foretel, that they will not bring one Instance of any such taken away by me *from the College in general.*

I my self indeed can furnish them with Instances, where I took away *some known Perquisites*, not from the *College in general*, but where one part of the College usurp'd upon the other, or a few upon all the rest. *Trinity-College* for above a hundred years has had a Bakehouse and Brewhouse of its own ; and the Senior Fellow, who looks after those Offices, is call'd *Pandoxator*. We afford to all that diet in College, the same Measure for Drink, and same Weight for Bread at a set Price, whether the Rates of Wheat or Mault be higher or lower : whence it happens, that we sometimes lose or get little, sometimes make considerable Gains by the year. These Gains had long ago begotten a *Pandoxator's Dividend* ; where the Produce was not
equally

equally shar'd among all the Fellows of the College, as it ought to have been, since the Commons of the lowest Fellows are the same with those of the highest; but to the Master was distributed twenty Pounds, to the eight Seniors ten Pounds each (absent or present) to the rest of the College five Pounds each, provided they were in Residence the major part of the Year: otherwise to have nothing. This manifest Injustice to all the Fellows that live abroad, who are about half of the whole, and the most serviceable to the House as well as to the Kingdom, I did effectually put an end to, and, as I believe, *with the forc'd Consent of the governing part*, as Mr. Miller expresses it; but not in view of *Profits* to my self, for I am yearly a loser by putting it down.

This *Pandoxatorship* had been so manag'd, that there were four Bakers in one Office, and four Brewers in the other; each independent of any other, and having a Salary to himself: whereby the work was done negligently, and perpetual complaints made without means of redress. There was a Clerk too, or *Supervisor* of both Offices, who having annually laid out many hundred Pounds of College Money for Wheat and Mault, had not bought one Bushel in the open Market for above twenty Years before I came thither. The Pandoxator too had carv'd well for himself, and besides other Emoluments, had (as it were on purpose to puzzle the Accounts) the 32d part of the yearly Gain: and to enhance his own Perquisite, had for many Years plac'd that on the account of Gain, which was manifestly on the side of Charge and Loss. To remedy all these Evils at once, *without any consent at all of the Governing part*, (for that was not to be hop'd for, and the Statutes in that case requir'd it not) in 1707 I displac'd this Clerk and four Bakers, and four Brewers at once, made a Contract with one Baker

Baker and one Brewer to do the whole Work for about half of the Charge, settl'd a certain Salary of twenty Pounds *per Annum* upon the Pandoxator (as a Premium to the Seniority, tho' the very Office might have been drop'd and spar'd) caus'd all the Corn ever since to be bought in the open Market, gain'd thereby some Hundred Pounds a Year to the College, which since that time has had the best Bread and Beer in the whole University. And yet this, my Lord, tho' done with the Approbation and Thanks of the major part of the Society, and acquiesc'd in by the Seniors themselves, is yet a secret Displeasure to Mr. *Miller's governing part*. And now they have publickly attack'd the Master, they are in hopes to see those glorious Days again, when a Senior can smuggle Five Pounds to himself, tho' with the loss of Five Hundred to the College in general.

The Sixth and Seventh Statutes enact, That the College-Steward and Junior Burfar (who, except the stated Salaries, lay out most of the publick Mony) should be neither a Doctor nor a Batchelor of Divinity; that is (for in those times Degrees were regularly taken) not of Batchelor or Doctor's standing, or above Seven Years Master of Arts. The Design was good and prudent, to make always those two Officers of the lower part of the Society; that the Master and Seniors might, without favor or fear of displeasing, more impartially examine their Accounts. The Statutable Salary for the Steward is three Pounds *per Annum*, for the other four. Now before my coming, they had (by omitting to take Superior Degrees) got these two Offices at the top of the College, among the very Deputy Seniors; and so the same Persons were both Accomptants and Examiners; and in time had augmented their *KNOWN Perquisites*, besides unknown, to ten times the Statutable Allowance;

ance ; and squander'd the publick Mony in entertaining their Tribe. This horrible Corruption I had early my Eye on, but having no power to remedy it without their Consent that shar'd in the spoil, it was Six Years before any Juncture happen'd, wherein I could attempt it with hopes of Success ; but at last it was happily cur'd, and to do them Justice, I believe, *with the forc'd Consent of the governing part*, extorted by mere force of Reason, and cogent Arguments of Shame.

The Order in the College Register runs thus ;
Feb. 18. 1705. Whereas in the Statutes concerning the Offices of Junior Bursar and Steward, it is declared, That none shall be chosen into the said Offices, who is Batchelor of Divinity ; it is order'd and agreed by the Master AND SENIORS (in pursuance of the primary Intention of the said Statutes, and to encourage the early taking the said Degree) that hereafter none shall be chosen into the said Offices, who shall be of Batchelor of Divinity's standing at the time of Election ; and that there be no Emolument, Augmentation, or Perquisites whatsoever allow'd to the said Officers, above the Salaries appointed by Statute ; and that neither of them sit at the Bursar's Table in the Hall.

By this good Order these two Offices have been since that time cheerfully serv'd for three and four Pounds a Year, by young active Men, not above Seven Years Masters of Arts ; who being good Mathematicians, are fitly qualify'd for Accounts and Measuring of Work, and yearly exhibit their Audit Books without error or puzzle : and besides the Abatement of the old *known Perquisites*, save the College in the *unknown*, a considerable Sum every Year ; not one of whose Names are in the List of these Subscribers.

And yet, my Lord, *the governing part* do still hanker after these Offices upon the old bottom : they have attempted once in vain to force my Con-

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sent to reverse the Order ; but they now hope, by your Lordship's Encouragement, to set all things upon the antient Basis, and retrieve their once known Privileges and Perquisites.

But I ought to explain to your Lordship (for otherwise it may seem pretty odd) the meaning of that last Clause in the Order, *That neither of those Officers shall sit at the Steward's Table in the Hall ;* and by that I shall confess another of my Crimes, in *taking away a known Privilege of the governing part of the College.*

The Bursar's Table in the Hall has been long appropriated for the reception of College Tenants ; and because on such occasions, which are frequent enough, there is better Cheer than ordinary, the *Governing part* make that the place of their daily Meals. Now by amplifying their *known Privileges* of receiving Tenants and Benefactors, some or other of the Board would continually be picking up on purpose any stragling Fellow that belong'd nothing to the College, and under pretence of entertaining him the whole Table was feasted ; the Steward discharging all with *Col. Sol.* because himself had a share there. It was well therefore to forbid the Steward to sit at that Table ; which in great measure has remedied the Abuse, and saves a large Sum every Year.

The last Bursar and Steward, of the old Stamp, were Mr. R—— and Mr. J——, whose Names appear, among others, at the foot of this Complaint. The former, now a Senior Fellow, who, when your Lordship enquires his Character, will be found a sordid Miser, and every way worthless, is never without a Curse in his Mouth ; keeps Company with the very Bedmakers and Sculls ; lets his own Chamber out at Rent, and lies skulking without one ; has absented from Chappel for some Years on all Sundays and Festivals, because he will
not

not be at charge for Surplice and Hood. This man being by his Office to provide Wood for Fewel, for the use of the Master and the reception of the Judges, made the Carpenter rate his Bills Six and sixpence in every Pound above what he was paid by him (as can be prov'd upon Oath) of which, almost a third of the whole, he cheated the College, and yet was a daily railer at the Master's expensiveness on that very head; and perhaps if he makes his Defense, he will charge the same practice upon his Predecessors, and so prove it a *known Perquisite* of the Office, which they hope, if they succeed in this Petition, will revert into the same hands.

The other, who for many Years has been generally reckon'd but a small remove from a Madman, gave his Year's Account for the Steward's Office in *December 1705*. On that day I was not present at the Audit, being employ'd as a Syndike in an Affair of the University. The Seniors readily pass'd his Accounts without any Exception; for indeed before I came among them they audited nothing but Figures, no Vouchers being either produc'd or demanded. When the Audit was over, I examin'd his Account in private, and discover'd that he had wrong'd the College of above fifty Pounds that Year; and upon my calling a meeting of Seniors, and summoning him before them, this Order was made and written in the College Register, *Jan. 21. 1705. Order'd by the Master AND SENIORS, That Mr. J—, Steward, having exceeded fifty Pounds in his yearly Account of Wine, above what was expended before in the same Office; of which he can give no proof how it was spent for the College use; he be put out of all Profits of his Fellowship (excepting his Commons) till they amount to repay the College the said fifty Pounds.*

The same day he was suspended from his Steward's Office, till further order; and on the 25th of February was wholly displac'd, but *with the forc'd*

Consent (as I agree with Mr. Miller) of the governing part. And at this Juncture, my Lord, I attempted and accomplish'd the alteration of those two Offices. However, this Mr. Jordan, upon account of his Poverty, and many stragling Debts abroad, has been forgiven that fifty Pound. And are not these, my Lord, Mr. R—— and Mr. F——, two very creditable Persons to honour the List of these Subscribers? and yet there are several others among them much more vile and worthless than they.

At the same Juncture, my Lord, while the Iron was hot, on Jan. 24. 170 $\frac{1}{2}$. I did another piece of good Service to *Trinity College*; when an Order was made and register'd, to regulate and ascertain the Expenses in the Hall on all Festivals in the Year to such an Allowance to every Mess, more ample yet than any other College of the University has. But before that time, the Steward, or rather the Cook provided arbitrarily, without any Rule or Sense, or Discretion. On the *Trinity Sunday* before, the very Meat came to Six Pounds a Mess besides Bread, Beer and Wine, and proportionally at the other Festivals; at all which the Fellow-Commoners and Noblemen, residing in College, were tax'd their Quota, and so din'd upon that Day at above thirty Shillings a Head: As for the Fellows, the College paid all; and to eat up all this Meat, were commonly invited the very Scum of the Town, that made the thing more scandalous than the very Excess did. In a word, by this good Regulation, which yet leaves to every Fellow as good a Meal as he had before, three hundred Pounds a Year are sav'd to the College in general, especially to the absent Fellows, who while they were serving the Publick in proper Employments abroad, were consum'd and devour'd by lazy Drones at home. And yet Mr. Miller's *Governing Part*, who stick close to the College, and reckon'd the greasy Luxury at those Festivals

Festivals one of their known Privileges and Perquisites, were hardly brought to part with it, agreed but with a *forc'd consent*, and hope to see it restor'd again. But the Petitioners go on;

And even Fellowships and Scholarships from several in particular.

My Lord, By the Connexion of this Clause with the precedent, here are four Propositions included in these few words; That I *threatned* to take away Fellowships and Scholarships with the forc'd consent of the Governing part; That I *threatned* to do so without any consent at all; That I *actually took* them away with a forc'd consent; That I *took* them away without any consent at all, so dubious or so fertile is the Stile of the accurate Mr. *Miller*. But are all these four objected as Criminal? Is it unlawful for a Master to *threaten* a Fellow or Scholar with Expulsion, when he deserves to be expell'd? when perhaps that very *Threat* is made to reclame him, and to prevent the Punishment threatned? But I fancy he'll scarce insist on these *Threats*, but be content if I answer to the Accusation about *actually taking away Fellowships and Scholarships*.

As before they were only *known Perquisites*, not *just and Statutable* ones, that he accus'd me to have taken away; so here again we have the same exactness, *Fellowships and Scholarships are taken away*: that's a Crime in the Master; no matter, tho he was oblig'd to it by exprefs Statute, by the very words of the Master's Oath, and by all considerations of the Honour and Advantage of the House, and the Examples of other Colleges.

Two Fellows of my own Electing were expell'd in 1708. *propter Crimina Majora*, according to Statute. They were Men of good Learning and excellent Parts; but upon those very Accounts were more dangerous to the Society, having fallen into such ill Courses and Enormities, as could not be tolerate!

lerated there without infecting and ruining all the Youth. The only Query now with an honest Man, would be, Were those two a publick Mischief to the College or no? Were their Offences justly punishable with Expulsion by Statute? If they were, let the mortify'd Limbs be cut off for the Preservation of the whole Body. But Mr. *Miller*, no doubt, wishes they had continu'd in the Society, for then probably he had had two more Names in his List of Subscribers.

The Order for their Expulsion in the College-Register, is thus;

April the 5th, 1708. Order'd by the Master AND SENIORS, That the two Fellowships late of Mr. — and Mr. — be declared void. Which Order being enter'd, two other Fellows were elected in their Places by the Master and all the eight Seniors, *Nemine Contradicente*; but it seems this was done by the FORC'D Consent of the Governing part of the College.

'Tis amazing, my Lord, to see eight Seniors, or Deputy Seniors, men describ'd in the Statutes, as ought to excel all the rest in *Authority, Gravity and Prudence*, so blindly follow Mr. *Miller* in an Accusation of themselves. For their own Consent is here express'd, both in ejecting these Persons, and chusing others in their room. Would they have the Merits of those two examin'd before your Lordship, in order to their Restoration? They dare not move for that; the Crimes of each are so notorious, of the one in a Court of Justice, of the other *re ipsa* and by his own Confession, that they will admit of no evasion nor palliation. And why did not these Seniors *freely* consent (for consent they did) according to their Duty and their Oaths?

But pray, my Lord, what Signs, what Methods, what Instruments of Force to extort their Consent? Were they lockt up, and kept from all Sustenance, like a Jury impannel'd, till they were forc'd to agree

gree with the Master? Were not their Voices their own? Was there not Freedom of Debate and Dissenting? Were any of them punish'd or oppress'd on such occasion? Where these and the like Circumstances are absent, to plead Force and Compulsion, is not the Plea of Seniors, but of Children. All they will or can say is, That they came to the Meeting with other Opinions, but were overbore by me in Discourse: and if this be all, then perhaps every Order for this Ten Years, to reform any Abuse, was made by their forc'd Consent; for 'tis known in the College, that they wou'd rail against Orders they had concur'd in, and fret that they had been persuaded to pass them. *Non persuadebis, etiam si persuaseris.*

My Lord, I omit the Names of these two Fellows out of Kindness and Compassion to them: they are both alive, and but young Men, and may be yet useful in the World. I hope that just and seasonable Act of Discipline will turn to their Advantage; for from one of them I have more than once receiv'd hearty Letters of Thanks on that very account. But if these Complainers, by their next Paper, shall oblige me to publish their Names with the Causes of their Expulsion, those two and their Familys will give them small Thanks for it.

Besides these two, only one Fellow more was turn'd out since I was their Master, and not for any Crime, but mere Incapacity; even Mr. Edmund Miller himself, the Author, Abettor and Manager of this Accusation. I shall transcribe the words of the Order out of the College-Register.

Jan. 18. 17 $\frac{2}{3}$. Declar'd by the Master, That Mr. Edmund Miller having been nominated by the late Master to the Physic Fellowship, and having neither proceeded Professor Medicinæ, nor study'd Physic according to the 19th and 12th Statutes, and still refusing

to do so, has thereby forfeited his Right in that Nomination, and the said Fellowship is become void.

Declar'd the same day by the Master, That Mr. Ashenhurst, Fellow of this College, Student and Practitioner in Physic, is hereby nominated to the said Physic Fellowship, to hold and enjoy it; upon condition that he proceed Professor Medicinæ, when he is of due Standing by the Statutes of the University.

Ri. Bentley, *Magister Collegii.*

Your Lordship will observe, That this Order was in the name of the *Master* alone, not of *Master and Seniors*, as those others quoted above. Upon which account Mr. *Miller* defames it as an arbitrary, tyrannical and unstatutable Act. On the contrary, if I do not vindicate it both by Statute, Equity and Precedent, I'll be content that he shall be reckon'd the *ablest Physician* in *Lincolns-Inn*, and I be expell'd for Insufficiency; a Fault not yet mention'd by them in this present Petition.

By the express words of the 19th Statute, Every Fellow* of seven years compleat standing above Master of Arts, who is not then in Priest's Orders, is within three months to be expell'd the College; except two, one of whom is Professor of Civil Law, and the other Professor of Physic.

And in the 12th Statute, concerning the Election of Fellows, all are requir'd to make Divinity their Study, except || two, one of whom shall have leave to study Civil Law, and the other Physic; and that by

* Socii, qui Magistri Artium sunt, post 7 annos in eo gradu plene confectos, Presbyteri ordinentur: quod si noluerint, intra tres menses post spatium illorum annorum penitus expletum Collegio in perpetuum expellantur, exceptis illis duobus, Juris & Medicinæ Professoribus.

|| Exceptis duobus, quorum uni licebit operam dare Juri Civili, alteri Medicinæ; idque judicio Magistri.

the Choice and Judgment of the Master of the College.

Mr. Miller, my Lord, having continu'd above twice seven years Master of Arts, and yet in contempt of these two Statutes having neither taken a Degree in Physic, nor in any way practis'd or study'd that Faculty, can certainly have no just Title to that Society, where this Body of Statutes is in full force, and sworn to both by the Master and every individual Fellow. Nay, when he was ask'd by me before a dozen Witnesses, Fellows of the College, whether for the future he would conform to the Statutes, and duly qualify himself, if I forgave what was past; he refus'd, he defy'd me, he threaten'd me, he revil'd me, with such opprobrious Words and insolent Behaviour; as I believe were never us'd by any Fellow to his Master, to his Face and before such an Audience, since the University had a Being. And when the Order for his Expulsion was written and sign'd by me, and his Name cut out of the Buttery-Table, in the presence of the eight Seniors; he afterwards persuaded the said Eight to oppose me in the just execution of these Statutes, to pretend to reverse my Order, and to replace his Name in the Table; where now, since my Absence, it stands again in defiance of Authority. And when upon my return I shall order that it be cut out again; I imagine (if your Lordship do not interpose before) they will maintain their Act by Club-Law, and by the infallibility of Eight against One.

Their Pretences, my Lord, for this irregular and unexampled Proceeding are these; That they differ from me in the *Interpretation* of those Statutes, That the *Usage and Custom* of our and other Colleges have always gone otherwise, and That I acted without the *Consent* of the Seniority: which last is suggested in this Complaint, *That I sometimes took away even Fellowships, without any Consent at all.* I

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shall

shall answer all these Pretences in their order.

Of their great Skill and Dexterity in *interpreting* Statutes, when they interfere with their Designs or Interest, I have given your Lordship some Examples above. And here again, if their Comment be allow'd upon the Text, *Professor Medicine* shall signify a *Counsellor at Law*; *Dare operam Medicine* shall mean to *plead at the Bar*; and *licebit*, that is, he shall have a *Licence or Permission* to study Physic (without obligation to take Holy Orders) shall be interpreted, he is left at *Liberty* to study Physic, or not, as he pleases.

The Master, my Lord, in his Oath of Admission (which till he takes in Chappel before the whole Society he cannot be own'd as Master) is order'd to swear, *That * he will interpret the Statutes, truly, sincerely, and intirely according to the Grammatical Sense*: which, being made part of his Oath, is thereby a Rule and Direction to all the Members of the College.

Now, that *Dare operam Medicine*, in the true, literal, Grammatical Sense, means to study Physic in order to profess and practise it, and proceed a Graduate in that Faculty, is plain and manifest, both by its own light, and by the Statutes of the University, where *Dare operam* is the legitimate Expression in that very meaning. Cap. 12. de Legum studiosis. *Qui a primo ad Academiam adventu legibus OPERAM DABIT, — fiat Baccalaureus Juris.* Cap. 13. de Legum Baccalaureis. *Magister Artium septennium DANS OPERAM Legibus — poterit cooptari inter Legum Doctores.* Cap. 18. de Doctoribus Medicinæ. *Magister Artium, septennium Rei Medicæ DANS OPERAM, poterit fieri Doctor Medicina.*

* Statuta vere, sincere & omnino secundum sensum Grammaticalem interpretaturum,

Again, | it is as plain, that *Professor Medicina* means a *Doctor of Physic*: this is the known Acceptation in all Universities. In the printed Books of all Nations, S. T. P. *Sanctæ Theologiæ Professor*, and S. T. D. *Doctor*, are us'd promiscuously for the same Degree. In a word, *Professor* of any Faculty always means, in the University-Stile, a Graduate of the highest Degree belonging to that Faculty. But tho it meant only a Graduate at large; after being Master of Arts (which all the Fellows of *Trinity-College* are oblig'd to be, and Mr. *Miller* now is) there is no other Degree to be taken in Physic, but that of a Doctor.

By the present Statutes of Q. *Elizabeth*, all the Fellows after seven years Mastership in Arts are to be Divines, *exceptis duobus*, except two, one a Professor of Civil Law, and another of Physic: but in K. *Edward's* Statutes, two of each Profession were excepted, *Quatuor excipiantur, quorum sit dispersita in Medicina & Jure Civili opera*. And of what Degree those four Persons then were, will appear from the Statutes of *Philip and Mary*, cap. 47. where Provision is made for three of them, that were continu'd in the Society upon that change of the Government; two of whom are stil'd *Doctors of Physic*, and one *Doctor of Law*: Porro cum sint tres DOCTORES; quorum duo id est Thomas Vavafour, & Radulphus Standishe Medicinam; tertius autem id est Stephanus Nevinsby Jus Civile profitetur. And in the Margin the Title is, Pro DOCTORIBUS Medicina & Juris Civilis.

'Tis plain therefore, my Lord, that by a true, sincere, Grammatical Interpretation of Statutes (which is injoin'd by Oath) Mr. *Miller* is excluded from all Right to a Fellowship. And as all other elected Fellows, if after seven years they are not found *Presbyteri*, in Priests Orders, recede from their Fellowships without Opposition or Complaint; so a Per-

son nominated to the Physic Fellowship, if he is not *Professor Medicina* after seven years (the very tinte prescrib'd by the University-Statutes to proceed DOCTOR of Physic from a Master of Arts) ought as contentedly to quit the Society. And Mr. *Miller* is inexcusable, who after twice seven years past, and an avow'd Disobedience for the time to come, will yet pretend to hold his Fellowship, in despite of Statute and Authority, to the great Disturbance of the Peace of the College.

Their second Pretence is, *Usage and Custom*, which they aver to have *always* gone contrary to my literal Interpretation, both in our College, and others. Now there are three Colleges, my Lord, that in their Statutes have for Civil Law and Physic the like Provision as ours. In *Queen's-College* the Physic Fellowship is now enjoy'd by Dr. *Clopton*; and the Law by the learned Mr. *Davis*, who designs to proceed Doctor of Law, as soon as he is of standing for it: and I am assur'd by him and his Predecessor in that Fellowship, That since the Foundation of their College, no one was ever excus'd or indulg'd in omitting his Degree in Law or Physic, at the time appointed by Statute; and that within their Memories one was expell'd on that very account. In *King's-College*, the Physic Fellowship is now fill'd by Dr. *Evans*, and the Law by Dr. *Wilmot*. And in *St. John's* (where two are allow'd in each Profession) one Law-Fellowship is possess'd by Dr. *Berry*, one Physic by Mr. *Waller*, Student and Practitioner in it, who will be Doctor also, when he is of a competent standing. And if the other two are at present indulg'd, 'tis because the Master and Seniors there have a power to prolong the time of taking the said Degree, for any weighty Cause, according to their Discretion, The words of their Statute are, *Qui autem Medicina DANT OPERAM, ad incipiendum in eadem ante duodecimum*

num (postquam in Artibus regere cœperint) completum annum, sub pœna amissionis Sodalitii ipso facto, admittantur; NISI Magister & major pars Seniorum, ob gravem aliquam Causam, longius iis tempus indulgendum censuerint: That is, He that has the Physic Fellowship, if before he be twelve years standing Master of Arts, he be not Doctor of Physic, shall lose it ipso facto; unless the Master and Seniors think fit for a weighty Cause to allow him longer time. But whenever the Master there should please to withdraw that Indulgence, those Fellowships would no less justly than certainly be declar'd void; if the Possessors did not at the next opportunity qualify themselves by taking the said Degrees.

What strange temerity then, my Lord, what supineness is it in our Seniors, to allege the *perpetual Usage* of other Colleges in behalf of Mr. Miller, which is so directly against him. For the Indulgence sometimes given in St. John's can have no place in Trinity. Our Statutes leave us no discretionary Power here, as theirs do them; but is positive and peremptory, *Collegio in perpetuum expellatur*. And the Visitor, who is to enquire *de servandis Statutis*, of strictly keeping the Statutes, might justly censure Me and the *Governing part*, if he found a Person so long possess'd of a Physic-Fellowship, either plying in *Westminster-Hall*, or travelling in the Circuit. Nay, my Lord, were it really in my power to adjourn the taking of this Degree *sine die*; yet I fancy a Person of Mr. Miller's Temper and Designs, and his *great Respect and Love to the Master*, would with difficulty suggest to me so weighty a Cause, as to merit that Favour.

What the Usage in our own College has been of late years, or within memory, I cannot affirm; neither am I to regard. 'Tis not to me, what has been done, but what ought to have been done. They are the Statutes I am sworn and bound to observe,

serve, and not *Customs* that have prevail'd in breach of them ; and yet what the Custom in this case was at first, in the times of *Edward* and of *Mary*, the Passage above cited demonstrates. And I believe the oldest Senior of them all cannot name above one that held this Fellowship without a Degree, as long as *Mr. Miller* has done already.

I have extinguish'd, my Lord, several other *Customs*, that can plead as long, or longer usage, than this can ; and I have frequently declar'd, that when ever those two Places were fill'd by me, I would nominate none but what really design'd to be of the said Professions : and if I did not eject *Mr. Miller* before, 'twas because *Mr. Ashenhurst* was the First that could succeed in his place ; and I have chosen him upon no other conditions, than those that *Mr. Miller* is turn'd out by : and if he neglect to proceed Doctor at the time appointed by Statute, he may and ought to be ejected by me or my Successor.

That this pretended Custom, besides its being a breach of Statute, is a Loss and Damage to the College, is as manifest as the Light. The Wisdom and Goodness of our Founders, when they instituted a Society of Clergy to be employ'd in the Study of Divinity, reserv'd among them one Lawyer, and one Physician ; the first to assist them in any Affairs or Suits relating to the College Estate ; the other to help them in Sickness, and in the preservation of Health. Is this kind Intention to be defeated, and these two Fellowships possess'd by men of other Professions, or of none ? *Mr. Miller* indeed would evade this, and objects, that if that was the Founders design, they would have appointed a Common Lawyer, and not a Civilian. But in this he shews his great knowledg and penetration, as usual ; for a *Doctor of Civil Law* is by the *University Statutes* oblig'd to study and understand the English

lib *Lam* too *; and there are many Cases, incident to any Fellow of a College, that must be argu'd by Civilians alone in the Vice-Chancellor's Court.

In the three several Bodies of Statutes, that have been given to *Trinity-College*, there is a particular one *for the time of the Plague*; which has several times been in *Cambridg*, since the very last Statutes were given us; and at this very time rages in some parts of *Europe*, and threatens the rest. On that occasion the *Vicemaster* and *Governing Part* are oblig'd to continue within the College: and surely then a Physician, whom on pain of expulsion they can force to stay with them, would be useful within the Walls. But even in common cases of Sickness, 'tis an advantage not to be thrown away, to have a Physician, a familiar Acquaintance, engag'd by Friendship, and tied by Duty, ready at hand, and at the beginning. And both my own Family, and several Fellows and Scholars of the College, owe already great Obligations to Mr. *Ashenbush* on that account, and (if I can judg of Worth and Abilities) will owe many more.

Again, my Lord, there are always some in so great a College, but now particularly several Scholars, that design the Profession of Physic, as hopeful young Men as the whole Kingdom can shew. When the Statutes therefore have provided One, who may be an adviser in their Studies, and Director to them in Practice; shall we abandon their Advantages and our own; and while we comply with a pernicious *Custom*, propagate it to Posterity?

Mr. *Miller* indeed, for ought I know, may in his Law-Capacity plead, that he's a Professor of Physic; because forsooth he is on the Physic Line;

* Cap. xiv. Doctor legum mox a Doctoratu dabit operam legibus Angliæ; ut non sit imperitus earum legum, quas habet sua Patria.

and so is put up in the University Lists for Physic Disputations, which he never did nor can perform. But this is so far from a good Plea, that it's an aggravation of his Incapacity; being an abuse and banter upon the Publick; and, were it not that *Custom* passes it over, would be both shameful and criminal. His very best Argument to prove himself a Physician, is what he's now acting against Me, in this Petition to your Lordship upon the fortieth Chapter of the Statutes, which begins with these words in the Text, *Quoniam capite gravi aliquo morbo laborante, cetera corporis membra vehementer quoque vexari solent; Since the Head being sick of any sore Disease, the other Members of the Body use to be grievously troubled.* Here he may fairly say and maintain, that he acts in right of his Physic Fellowship; he has undertaken to purge this *Diseas'd Head*, has the *troubled Members* too under his Regimen and Conduct; and if he compleats the Cure, he will richly deserve the Title of *Dr. Miller*.

Their third and last Pretence for reversing my Order about Mr. *Miller's* Expulsion, is, because I presum'd to do it without *Consent of the Seniority*; as if that was necessary in all Cases whatsoever; without which the Master's Hands were wholly tied up. An Assertion so crude and precarious, that none but such as never look into the Statutes, or when they do, never penetrate the design of them, could possibly have started.

My Lord, In those two Statutes, on which alone Mr. *Miller* was expell'd, there is not one Syllable of the *Consent of the Seniors*. In the 12th, The Fellow allow'd to study Physic, is to be nominated *Judicio Magistri*, by the Choice of the Master alone: and consequently, if the said Fellow deceive the Master's expectation, and neglects to study Physic as the Statute enjoins; it may reasonably be presum'd, the
Master,

Master, tho alone, can exert the Statute against him, unless it were expressly enacted to the contrary.

In the 19th it is decreed (as quoted above Pag. 32.) *Collegio in perpetuum expellantur, Let them be expell'd out of the College for ever*: Neither the Seniors Consent, nor the Master's is here requir'd; but the latter, as having the executive Part of this Statute committed to him, must and ought to exert it; not as an Act of Command and Power, but Ministerially, and in obedience to the Will of the Founders. And tho there seldom happens a Year, but when some for not taking Holy Orders are ejected out of the College, by this very Clause that ejects Mr. Miller; it was never yet known since the Foundation of the House, that the Seniors were call'd together to give their Consent on such occasions. For where even the Master's Consent is not suppos'd, but prevented and superseded by Statute; if the Seniors Consent was there necessary, they would be superior to him and the Statutes too. If we imagine the Table's chang'd, that I would have retain'd Mr. Miller, and the Seniors had clam'd his Expulsion, they had had the Right on their side, and I must have complied with them in Duty to the Statute; much less, when I execute the express Command of the Statute, can their Dissent controul me, and thereby vacate and defeat it.

'Tis true, my Lord, there are *some* Cases of expulsion, where the Consent of the major part of the Seniors is expressly requir'd; and no wonder if they that have been always grasping at the whole Power, to make the Master a mere Cipher, or at most a sort of Ninth Senior, should pretend it's requir'd in *All*. But your Lordship will presently see, that there are many more Cases where it's not requir'd, than where it is; and the difference and distinction between those, when once observ'd, will both shew the Wisdom of the Founders, and fully decide the Cause against Mr. Miller and the *Governing Part* under him.

In the Oath of a Fellow, *cap. 12.* and of a Scholar, *cap. 13.* every one swears, *That if for any Crime number'd among the greater Crimes, he shall be expell'd by the Consent of the Master and the major part of the eight Seniors, in that manner as is declar'd in the Chapter concerning greater Crimes, he will never appeal to any other Judg, or go to Law with the Master or any Fellow on that account* *.

This being sworn twice by every Fellow of the College, and repeated twice annually at every Election, has given those that never peruse nor regard the whole Volume of Statutes, a Notion and kind of Tradition, that the same holds in all cases universally. But your Lordship will observe, that these words in the Oath expressly refer to the Chapter *De Criminibus Majoribus*, which is the 38th in number; and there indeed the *Consent of the major part of the Seniority* is declar'd to be necessary.

The Crimes specified in that Statute are of a Moral Nature, such as according to various Circumstances receive abatement or aggravation; such as depend on the dubious credit of Witnesses, or on the Intention of the Actor, as proceeding from either Malice or Passion, Design or Inadvertency: These sort of Crimes, such as *Heresy, Probable Suspicion of Heresy, Simony, Perjury, Fornication, wounding any Fellow or Scholar, Conspiracy or Sedition in the College*, are to be try'd before the Master and eight Seniors; and the Person convicted is to be expell'd † *by the Consent of the Master and major part of the eight.* This was prudently order'd by the Founders, not only for fair Dealing toward the Accused,

* Si propter aliquod Crimen inter Majora Crimina nominatum e Collegio per consensum Magistri & majoris partis viii Seniorum eo modo quo in Capite de majoribus Criminibus declaratum est, expulsus fuero.

† Magistri & majoris partis viii Seniorum consensu sine ulla monitione Collegio omnino privetur.

but for Security of the Master himself. For what Master would desire to be appointed sole Judg in cases of so doubtful a Nature ? How could he withstand the Envy, the clamors of a large Society, who from the corrupt Principle of human Nature would generally side with the Punish'd ? *Cum sibi quisque timet ; quamquam est intactus, & odit.* Add to this the Interest of their Friends and Relations abroad. If Expulsions are now so rare, tho the Crimes are so frequent ; I dare say, if Masters alone were to give Verdict, they would still be rarer. I never yet heard of any Expulsion in either University, that was not justly deserv'd. And for one instance of wrong done by straining a Statute, and extending lawful Power ; a thousand happen by deserting and betraying it.

Again, the Prudence of the Founders was admirable, in forbidding by Oath any Appeal from the Sentence of the Master and Seniors. For in these Moral Cases, that admit of *Majus* and *Minus* according to Circumstances, even two honest Juries may give different Verdicts according to their different apprehensions. If Appeals therefore were allow'd by Statute, and the Causes were remov'd to other Courts, where the Characters of the Accus'd and the Witnesses were unknown, their Sentences would be frequently revers'd ; and tho they were confirm'd, yet the Charge and Trouble would be insupportable : to avoid which no Master and Seniors would care to exert the Statutes ; and so all Crimes would escape unpunish'd, and the Society be quite ruin'd.

But, my Lord, there are many Causes of forfeiting a Fellowship, besides these Crimes of a Moral Nature ; such as Defects, Incapacities, plain Matters of Fact that admit of no doubt or controversy ; and in such the Consent of the Seniors is never requir'd nor mention'd. By the eighth Statute, If a Fellow that is *Concionator*, College Preacher (an Of-

fice useful at the beginning of the Reformation, when the Statutes were made, to provide Sermons in Country Parishes where there was no Reform'd Minister; but now entirely useles, and may deserve the consideration of the Government, whether it be fit to be continu'd or not) a College Preacher, says the Statute, if he have two Livings, or two Prebends, or a Living with a Prebend, *Post annum a Collegio discedat, after a year let him depart from the College.* So far is it from requiring the Seniors Consent, that the Words are directed to the Person himself; 'tis not said, he shall be turn'd out, but he shall go out of the College. By the same Statute, if any Fellow who is not a College Preacher (which concludes all but sixteen) have one Living or one Prebend, *post annum a Collegio moveatur, after a year let him be put out of the College;* This is peremptory, without supposing any Consent of Seniors, who were never call'd together on such an Account.

These Preachers, by the 11th Statute, are to be chosen with the Consent of the Master and four Seniors at least; but if any Fellow so chosen refuse to accept * the Office of Preacher, *let him be turn'd out of the College,* says the Statute. This being a Fact apparent, not admitting of doubt or needing a Trial; the Master alone may put the Statute in execution, without consulting the Seniors.

By the 14th, if a Scholar do not within twenty days after admission provide himself a Gown, Surplice, and Cap, *Collegio amoveatur, let him be turn'd out of College.* By the 10th, If a Scholar, that has no Tutor, do not get one within fifteen days, *Collegio ejiciatur, let him be ejected out of the College.* By the 19th, If a Batchelor of Arts be not made

* Quod si munus suscipere recusaverit, a Collegio amoveatur.

Fellow before the end of the third Year, after six Months *e Collegio ejiciatur*, let him be ejected out of the College: By the same, no Master of Arts is to lay down his Regency before the end of three years, *sub pœna amissionis sodalitiï*, under penalty of the loss of his Fellowship; nor any Master of Arts to be Bachelor in Divinity before seven years, *sub pœna prædicta*, under the same penalty; and every Fellow that being seven Years Master of Arts is not found in Priests Orders, except the PROFESSORS OF PHYSIC and Law, *Collegio in perpetuum expellatur*, let him be expell'd the College for ever. By the 20th, If one Fellow go to Law with another, *Collegio amoveatur*, let him be turn'd out of College; If any Fellow or Scholar play at Dice, *Collegio in perpetuum expellatur*, let him be expell'd the College for ever. By the 33d, If the Bursars do not pay their Debts to the College within one Month after the Audit, & *Collegio eos in perpetuum expelli & in jus vocari mandamus*; We command, say the Founders, that they be both turn'd out of College for ever, and be prosecuted at Law. By the 35th, If a Fellow take a Lease of any Farm of the College; as soon as his Lease is seal'd, *eum a Collegio amoveri volumus*, We will that he be turn'd out of College. By the 39th, If a Fellow be married, or admitted Fellow of another College, or be made Bedel of the University, *Collegium penitus amittat*, let him quite lose his Fellowship. In all these Cases, my Lord, and several others, where the Matter of Fact is indisputable, or where the thing is a Failure and Incapacity, not a Crime of Moral cognizance; there's not one word in Statute about the *Seniors Consent*, who were never consulted about any such matters: And there was no need in such Cases to engage the Fellows by Oath to make no Appeal abroad; for the Subject of them being naked and simple Facts, prevented that Danger.

My Lord, If their Consent was establish'd to be necessary in such Cases as these, the Master's Office would

would be abolish'd, and his Oath that he takes at his Admission, would oblige him to Impossibilities. *Ad Presidem*, says *Edward's Statute*, *universi Collegii omniumque ejus partium administratio pertinet*; *To the Master belongs the Administration of the whole College, and all the Parts of it.* And so the Statutes of every College in *England* either declare or suppose. But where's his Administration, where's his executive Power; if in the plainest and most peremptory Injunctions of Statute, any of the four Seniors have a Negative over him? He is to swear, *That he'll * observe the Statutes of the College in all things: That † according to those he will govern every Fellow, without respect of Family, Condition, or Person.* How is this Oath practicable, if four Seniors by their Dissent can in every thing tie up his hands? He is suppos'd perjur'd, he may be punish'd and expell'd by the Visitor, *If || he neglect to execute those Statutes*; and yet a Faction of any Four of the Eight can force him into those Circumstances. Nay, any Four of them, in a Conspiracy, may at that rate hold two or more Preferments together with their Fellowships, may have Wives themselves, and let others have too; may by sharing with an ill Burfar, protect him when he embezles the College-Revenue; may make the whole Society Laymen, instead of Divines; may take the College-Leases to themselves upon their own Terms; may turn a Nursery of Learning into a Gaming-house for Cards and Dice: in a word, may supplant and pervert the whole Design of the Institution; if such a Construction, as these Men aim at, was put upon these

* Statuta hujus Collegii in omnibus observaturum.

† Omnes & singulos Socios ex iisdem Statutis & Legibus, sine ullius generis, aut conditionis, aut personarum respectu recturum.

|| Si in Collegio obeundo admodum negligens repertus fuerit. *Stat. 40.*

Statutes. 'Tis enough, my Lord, that Drunkenness, Leudness, Swearing, Profaneness, and such like Crimes cannot be statutably punish'd by the Master alone without the consent of their Majority; which if they could, Mr. *Miller's* List of Subscribers had not been near so large as it is. But if in all things their Dissent should restrain the Master's Power, farewell all the Learning, and Sobriety, and Reputation of *Trinity-College*.

I have now answer'd, my Lord, all their three Pretences in defence of Mr. *Miller*; and I fancy I might dismiss his Cause, and submit it to your Lordship's Sentence, without any fear of a Repeal of mine. But I crave your leave to add two short Orders, that were serv'd upon me, soon after I had declar'd the Fellowship void; the first by the Vice-master, and the second by Mr. *Miller's* Clerk, which contains those three Pretences, that I have now refuted. They are both of Mr. *Miller's* drawing up, as the Senior Burfar confest to me, and are Originals both for their Matter and Elegancy of Stile.

Master,

Jan. 18. 1709.

I desire you to be present at my Chambers to morrow morning at nine of the Clock concerning an Appeal made to me and the rest of the seven Seniors this day by Mr. Miller, about your ordering his Name to be taken off from Buttery-Board, and some other Matters between you and Mr. Miller.

W. Stubbe, Vicemaster.

I make no doubt but your Lordship, who have once been Fellow of a College, will admire at such a new and unparallel'd thing, That a Master shou'd be summon'd from his own Apartment (where the publick Business is always transacted) to attend at a Vicemaster's Chamber. And yet this was sent me at a time, when they knew I was indispos'd by a great Cold, and confin'd at home. However,
when

when they met there at nine the next day, without enquiring whether I design'd to come then, whether I desir'd another Opportunity, or wish'd them to come to me; under the Conduct of Mr. Miller, they subscrib'd to this following Order.

At the Vicemaster's Chamber in Trinity-
College in Cambridg, Jan. 19. 1709.

Upon Complaint and Appeal made unto us by Mr. Miller according to the Form of the College-Statute concerning Dr. Bentley our now Master's yesterday ordering his Name to be cut off from the Buttery-Board without and contrary to the Consent of any of the Senior Fellows then present upon the Master's Interpretation of the College-Statutes concerning the Physick-Fellowship We the Vicemaster and the rest of the seven Seniors now resident in College upon consideration of the said Statutes and the Usage which has always been in this and other Colleges in the University in the like Case Do declare that we do not agree with the Master in his Interpretation of the said Statutes, and do therefore think fit that Mr. Miller's Name be this day put again upon the Buttery-Board.

W. Stubbe Vicemaster
P. Cock
G. Modd
Edw. Bathurst

N. Randleigh.
Tho. Smith
J. Cooper
Nath. Hanbury.

I confess, my Lord, it surpasses my poor Understanding, to find the Sense and Construction of this crabby piece of English. The Author avoided pointing it, like a Bill in Chancery, to shew he was a *Physician*. So we are tortur'd with his Ambiguities, of a *College-Statute concerning a yesterday's ordering*, and of *Seniors then present upon the Master's Interpretation*. But allowing him as many Comma's and Parentheses as the Paper will hold; yet where's the

the Sense of *our now Master's yesterday ordering upon the MASTERS Interpretation?* Were there two Masters then meant here; that it is not, *upon his Interpretation?* And when it's affirm'd in the very Preamble, that the Master's Act was *contrary to the Consent of the Seniors*, yet it's declar'd, as a new thing, in the Close, that the said *Seniors do not agree with the Master*. These are Accuracies not to be equall'd, but by the Person that drew up the late Mr. Worts's Will, a noble Benefaction to the University, but (as the Trustees find) cramp'd by the Stile of the Compiler, who seems then to have written it in his *Physic Capacity*.

But the flower of all is that Expression, which occurs in both Orders, *The Vicemaster and the rest of the SEVEN Seniors*. Your Lordship very well knows, we have always *Eight Seniors*, whereof the Vicemaster is ever one: and accordingly there are eight names subscrib'd to the Paper. But the Paper it self affirms they are but *seven*; for the *Vicemaster and the Rest of the seven*, as any Schoolboy will tell us, make but *seven* in all. What shall we admire most, that a learned *Professor* could draw this up, or that eight *Governors* of a College could subscribe it? But I think I have discover'd the Original of this just Expression. He had his Eye upon the 20th Statute *about Domestick Quarrels*; for he founded his Appeal to the *seven Seniors* upon that. My exerting the Statute for his Expulsion was a *LIS*, a Quarrel forsooth between Mr. Miller and the Master; an Interpretation more acute and sagacious than any thing yet offer'd by him: but I adjourn that to another Occasion, which their next Paper may give me. Now in that 20th Statute the words are, *A Vicemagistro & reliquis septem Senioribus*, *By the Vicemaster and the other SEVEN Seniors*. But our *Lawyer*, being very well vers'd in the pure Latin of *Celsus*, translated *Reliquis septem*, *The rest of the seven*. I am very serious, my Lord; I wave

at present all the other good Exceptions I have to this Order ; and insist upon this alone as sufficient to make it null. For what would have *non suited* him at *Westminster-Hall* (as our College under his management was at *Cambridg Affizes*) will have no better fate under your Lordship's Judicature. *Seven Seniors in Trinity* have no power to decree any thing ; *seven Seniors* in the body of the Order, and *eight* at the bottom of it, condemn the whole for a Forgery ; *seven Seniors* may be fraudulently put by the designing Mr. *Miller*, on purpose that himself may be thought *Sapientum octavus*.

I am sensible, my Lord, that I have been very long upon this last Article of one Line ; and yet there is the word SCHOLARSHIPS, that I have not yet spoken to. I have turn'd over the Register, and I find but one Instance of my expelling a *Scholar*, and that soon after I came thither.

Dec. 24. 1701. Order'd by the Master, that H——n the Subfizer be expell'd the College for his foul and scandalous and repeated Offence.

R. Bentley, *Magister Collegii*.

This Person had been twice taken by the Proctor with an infamous Woman : and wou'd they have him restor'd, or me culpable, because the Order was made by me alone, without the express *Consent of the Seniors* ? If that be it, your Lordship will perceive that I follow'd the Stile of my great Predecessor Bishop *Pearson*, whose Order is thus in the same Register ;

Jan. 23. 1664. Order'd by the Master, that Young the Scholar be expell'd the College for his foul and scandalous Offence.

Jo. Pearson.

I know your Lordship will take notice of this Precedent for the Master's Power of expelling, without

without concurrence of Seniors. And there's the same Authority by Statute over a Fellow, as over a Scholar; the same Crime is really greater, and calls for a severer Punishment in the former than in the latter. Neither is there any Tradition, that the then Seniors accus'd the Bishop for transgressing the bounds of his Power: neither was I my self accus'd in 1701. That Seniority was not this; the best are gone off, and worse come into their Places; and the next Pretenders (if a Visitor does not rid us of them) are the very Dregs and Recrement of all. After which, *ἔσται πάντα καλῶς*, *All things will be well*; and a golden Age will succeed that, if it is not alloy'd and vitiated by the ill Contagion of this.

But I understand from Report, that they will charge me with *taking away the Scholarship* of one Mr. T——n. The Case, my Lord, is this: At every Election of Scholars I send for all the Tutors, to know what Batchelors of Arts, that live abroad, have quitted the thoughts of returning to College, that so their Scholarships may be declar'd void, and wider room made for those that deserve to come in. It seems this Mr. T——n (a Person as I hear since of Merit) was then Student at the *Temple*, and his name was brought by his Tutor, as of one that had quitted. 'Twas within two months after I was Master, during which he had not resided; I neither knew his Face nor his Name: His Tutor did the thing; the then Seniors that knew him, concur'd both in displacing him and electing another. I never heard of this Error till eight years after the Fact, and yet these Seniors make it now an Accusation; and the Person's Relations are yet full of resentment, one of the *known Perquisites* of a Master of a College.

But the Petitioners go on, that Dr. B. farther *disturb'd the Peace*,

“ By his threatening and assuming to inflict several unstatutable and (before his time) unheard of Punishments upon several of the Fellows for no other reason but because he heard they talk’d against his Proceedings.”

My Lord, when Mr. *Miller* here says, *several Punishments upon several Fellows*; I conceive that in his peculiar Stile he means no more than *one Punishment upon each*, if he really speaks in common Language: let them shew in their next Paper, that the *same* Fellow had *two or more* unheard of Punishments inflicted on him. But I am persuaded they will not aim at this, nor succeed even in that. For what do they understand by *unstatutable*? no doubt, but such as are not expressly mention’d in Statutes. What can be said to Men, that think and reason so shrewdly? as if whatsoever was not *nam’d* in the Statutes, was upon that account against the Statutes. In this very case of *Punishments*, how often do the Statutes, without naming them, leave them to *Discretion*: nothing more commonly occurs there, than *arbitrio Magistri, Magistri & Seniorum, arbitrio Senioris Decani, &c. puniantur*; Let them be punish’d at the discretion of the Master, at the discretion of the Senior Dean, &c. This has introduc’d into common use several Punishments not once mention’d in the Statutes, such as covering a Name in the Buttery-Table, publick Recantation in the Hall or Chappel, Imposition of Exercise, and (what the Fellows sometimes use towards Inferiors) the Stocks, and the like. I believe, my Lord, they mean the first of these, which I executed upon two of the Fellows. And was this *unheard of before my time*? when even Vicemasters, and inferior Officers, and Tutors have often done it? when it’s a known way of Punishment in most Colleges in *England*? Nay it was really from me no *Punishment* at all, not to the loss of a single Farthing; their Allowances being all continu’d and secur’d to them by the

the very Order: it was only a Reprehension, a Disgrace, a denouncing an Accusation from me, which they were to clear themselves from, or else expect a *real* Punishment.

But I did it, *For no other reason but because I heard they talk'd against my Proceedings.* Whatever Mr. Miller thinks of it, to talk in publick perpetually against all the Master does, when he is executing his Duty and serving the Society, is declar'd a High Crime by Statute, is a great Disservice and Damage to the College, and very unbecoming a body of Clergymen. Such Authors of *Sedition, Detraction and Diffension*, are by the 20th Statute for the third fault to be expell'd out of the House. And yet I have born with Patience and Contempt the continual Detraction of many of these, for ten years together, without the least thought of Revenge. And if the College has now quite another Spirit, Turn and Character, than when I first came to it; Posterity at least will make a due Estimate what Vigour, Resolution and Art was requir'd to raise up Learning in so short a time to so high a pitch, by the *forc'd Consent* of the sworn Opposers, against so dead a weight at the very end of the Beam.

But 'tis utterly false, my Lord, that I did it *for no other reason.* In those very Instances they mean, the contrary will be prov'd by Witnesses then present, when the two Persons came before me. For tho I had not then the least foresight of so audacious an attempt as this Petition, unknown to all my Predecessors, except two very worthy ones in the two last Centuries, Dr. *Beaumont* and Dr. *Brooks*, who by the *Millers* of those Ages were impeach'd before the King in Council, and acquitted with Applause to themselves, and Shame and Punishment to their Accusers; yet I was so provident, as not to talk then with those Persons alone. The same Witnesses too will further swear, that the *covering the*
Names

Names was submitted to by both the said Persons, that Pardon for their faults was both ask'd by them and obtain'd, that their Thanks were given to me, and publickly profess'd in the College, for the Seasonableness and Clemency of my Proceeding against them. And yet both these, my Lord, are among the Subscribers: Who go on, and say,

“ And by his using violent and unworthy Methods whereby he has prevail'd with some few of the College to espouse his separate Interest.”

They mean no doubt by *some few*, those that refus'd their Concurrence to this Accusation; and yet the Subscribers, Members of the College, are but Twenty Seven, and the Refusers are Thirty Seven. What an Affront, what an Indignity is this to a Visitor, to lay such Stuff before him! But these Thirty Seven were prevail'd upon by my *violent and unworthy Methods*. I shall give you all their Names, my Lord, at the close of this Letter; and if any one of them will own such Methods, or not defy the Accusers to prove them, let them subscribe against me in the next Paper. The only *Method* that I know of is their own Consciousness of my great Improvement of the College, of which they themselves are a shining Example; being indeed the sole satisfaction to me for the loss of my Time and Studies, in ten years Drudgery, and *fighting with Beasts at Ephesus*, in a Station where I have annually spent more than Two Hundred Pounds above all the Salary and Perquisites.

The *Methods* I us'd may be further seen in the words of the Reverend Dr. *Hutchinson*, our Dean, in a Letter to me from *Leicestershire*, dated *February* the 1st instant; who having been absent from the College the whole time of this late Tumult, never exchange'd either Letter or Word with me before on that Subject.

Sir, says he, *that which makes me readily and heartily to come into your measures (next to the Justice of the*

the Cause in which you are engag'd) is the great Obligation I owe to you, as a Member of that Society, whose Interest, Reputation, and Revenues have been very much increas'd, since we had the Happiness of being govern'd by you. And he must be of a very slothful Temper indeed, whom your Example hath not spur'd on to some degrees of Industry. For my own part, I have reason to bless God for the Day wherein we had the Honour first to receive you amongst us.

On the contrary, what fair and worthy Methods have they us'd to draw in Subscriptions? That Mr. Miller threaten'd Mr. ——— Chaplain to the Right Honourable the Lord ——— with the Resentment and Revenge of the Seniors, if he would not subscribe, can be depos'd upon Oath. And Mr. Modd our Senior Bursar, who discharges that Office with great Diligence and Fidelity, has lamented to myself and several others of the Society, that he was forc'd to come in with the Clan; who eating with him daily at the same Table, would otherwise (as he express'd it) *worry him to Death*: he wish'd himself on this occasion *a thousand miles off*; and after some time refusing to subscribe, was at last hector'd into it with cursing and damning. All which can be prov'd upon Oath; so that tho his Hand is to this Accusation, his Heart is not there: and I really believe, it is not his Case alone.

But the Petitioners proceed and lament, that

“ The Peace of this royal and ample Foundation has not only for many years been wholly
 “ broken but the Statutes have been violated and
 “ the Goods of the College wasted and many of
 “ the Fellows reduc'd to great necessity by his lessening the value of their Fellowships which were
 “ before but very small.”

Again, my Lord, we have ill News, nay worse and worse, concerning the *Peace*: for before it was only *disturb'd*, but now alas for many years it has been *wholly broken*. But it's strange, that in such a long
 Absence

Absence of Peace, no Desolation, that certain Calamity of a long War, should happen to the College. It will not be deny'd, but that the number of the Scholars there, and of the Sons of the Gentry and Nobility, has very much increas'd since my coming, notwithstanding this dismal Complaint. And out of these I have elected above forty Fellows, and more than a hundred Scholars, without one Negative put upon me by majority of Seniors: which is such an Argument and Token of *Peace* in all my Time, as I believe not one of my Predecessors since the Foundation could have shewn for his own. And yet when I first came thither, I found the Master possess'd of a great Privilege by Custom, That no Senior could give his Vote for any Candidate, unless he was first propos'd and nominated by the Master. This gave to him a Negative at least against any of the Candidates. But not finding this Power at all warranted by Statute, I without any Demand or even Thought of the Seniors, did voluntarily abandon it at the very first Election, and declar'd it the Right of all the Seniors to vote for any of the Competitors, whether I propos'd him or not. Was this the Act of an arbitrary and tyrannical Governor, as *Catiline* traduces me? And it's no small sign of their Opinion both of my Ability and Integrity in Examinations, That after this I never in ten years propos'd one as the fittest Person for their Choice, who did not obtain it; tho many of the Electors in their hearts wish'd the Votes had gone another way, and by jarring with me about other Affairs in College had a longing mind to oppose me. I do own therefore all the Fellows and Scholars of my ten years, to have had as much of my Approbation, as if I had chosen them solely my self. And tho two of them are since expell'd, and more of them are among these Subscribers; yet I am willing and bold to say, there has not been a sequel of so many and so good Scholars

Scholars (at the times of their Election) in any Society whatever, since the Universitys were heard of. And what promising hopes the Youth gave of a still greater Advance, when I last left the College (tho since this great shake to Authority I dare not answer so much now) will be seen by this Testimony of the very learned Mr. *Laughton*, Fellow of *Clare-Hall*, and now Proctor of the University, to whose uncommon, nay singular Care in that Office the Public is so much indebted.

Jan. 4. 17⁹⁹.

I do hereby declare, that in my visiting the Public Houses as Proctor of the University, I have never found any Under-Graduate or Batchelor, nor, to the best of my Knowledg, any Nobleman or Fellow-Commoner of TRINITY-College in any of the said Houses, and have frequently commended them upon that account in the University. Witness my Hand,

Ri. Laughton Senior Proctor.

But again, what is yet more deplorable than the long want of *Peace*, *The Statutes too have been violated, and the Goods of the College wasted.* Who can deny Mr. *Miller* to be a very *Galen* in the Law? who acutely saw, that these two Clauses must right or wrong be brought in, or else the whole Indictment would prove abortive; not one particular in the whole Petition, except * these two, coming within the 40th Statute. Without these, I could not (what he every where gives out) be certainly expell'd by the Visitor; nor he upon the Merits of that Ejection, and the Votes and Interests of his Subscribers, be in promising hopes (which he gives

* De dilapidatione bonorum Collegii, vel de violatione statutorum ejusdem.

out too) to represent the University. *O Tempora! O Mores!*

As for the *Violation of the Statutes*, which if he was ask'd the meaning of, he knows not what it is; for every *Breach of Statutes*, by Oversight or Mistake, is not *Violation*: 'twou'd go hard indeed with a Master, if what in a Fellow is even statutably aton'd by the Mulct of a Groat, or sometimes a Penny, must in him be vindicated with Expulsion. *Violation of Statutes* is a meditated Rejection and Subversion of them, a disowning their Authority, a setting up another Rule of Government instead of them; as one of the Subscribers would have done, when I was newly made Master; who upon my urging his Obedience to them, told me openly, *That Trinity-College was not to be govern'd by Statute, but by Custom.*

For the *Violation*, I say, of the *Statutes*, I shall refer to what I have said above, whether I or They have been guilty of that Crime. To suppress the Elections of Scholars every other year; to augment their own particular Salarys, and the Sealing-Mony for Leases, ten times above the due Sum; to intrude a common Lawyer into the place of a Physician: these perhaps will be thought by some a *Violation of the Statutes*; because they are a Subversion of the *Will of the Founder*. But in some cases a Statute may and ought to be broken, on purpose that it may be kept; when by change of Times and Circumstances the *Mind of the Statute* cannot be observ'd but by receding from the *Letter*. An Instance of which I shall here give out of the College-Register, in an Order made,

July 24. 1703.

Whereas in the Statute, De publicis Sociorum & Discipulorum Exercitationibus, &c. it is prescrib'd, that the Declamations be post Cœnam (after Supper) and in the same Statute all the Fellows, Scholars, Pensioners,

sioners, and Sizars are exhorted to be present at them, thereby to excite the several Declamants to a greater Diligence in their Performance.

And whereas according to the former practice of proceeding to Declamations immediately after Grace in the Hall; the Scholars in waiting, and the thirteen poor Scholars (who then go to Supper) have been always depriv'd of the benefit of hearing the said Declamations:

And being it is morally certain, that if the Declamations were delay'd till after the Scholars in waiting, and Poor Scholars have sup'd; there would still be fewer Auditors at the said Declamations, especially in the time of Winter.

Resolv'd and agreed by the Master AND SENIORS, in pursuance of the primary Intention of the said Statute, which desires the whole College to be there present, That from henceforward the Declamations be perform'd immediately after Evening-Prayer, before the Departure out of Chappel.

By this Order, my Lord, a full Audience of the whole Society is made every Saturday in the year at the principal Exercise of the House; and since that time, which was never done before, the Noblemen and Fellow-Commoners have declam'd in their Course. It was past too, you see, by the *consent of the Seniors*; forc'd I suppose, for it's given out that this is to be made one Article against me. One of them indeed objected then against it, as *a profaning his Surplice*, to hear a Declamation in that Habit: and yet the same Person, one of these Subscribers, not long after could himself *profane* the University-Pulpit, being beastly drunk there on a Sunday, before the Vice-Chancellor and the whole Body; which can be yet prov'd by a hundred Witnesses.

But, say they, *The Goods of the College too have been wasted*: The Statute-word is *Dilapidation*, a terrible Charge indeed, which any Person that has once pass'd thro *Cambridg*, can disprove with his

own Eyes. It has been often told me by Persons of Sense and Candour, that when I left them I might say of the College, what *Augustus* said of *Rome*, *Lateritium inveni, marmorum reliqui*. The College-Chappel, from a decay'd antiquated Model, made one of the noblest in *England*; the College-Hall, from a dirty, sooty Place, restor'd to its Original Beauty, and excel'd by none in Cleanliness and Magnificence.

The Master's Apartment (if that may be nam'd without Envy) from a spacious Jail, from want of room in an excess of it, made worthy of that Royal Foundation, and of the Guests it's sometimes honour'd with: An elegant Chymical Laboratory, where Courses are annually taught by a Professor, made out of a ruinous Lumber-Hole, the thieving House of the Bursars of the old Set, who in spite of frequent Orders to prevent it, would still embezzle there the College-Timber: The College Gate-house rais'd up and improv'd to a stately Astronomical Observatory, well stor'd with the best Instruments in *Europe*. In a word, every Garret of the House well repair'd and inhabited, many of which were wast and empty before my coming. Are these the Signs of *Dilapidation*? and yet in all these the Master always bears the greatest burden in the Expence.

But lastly, *many of the Fellows are reduc'd to great necessity by my lessening the Value of their Fellowships*. 'Tis an astonishing thing, that seven Seniors could subscribe to this, who are conscious themselves, and have often confest it to my self and others, That I have rais'd the public Revenue of the College a Thousand Pounds a year above what I found it; which Improvement is more than the whole annual Income of some Colleges in *Cambridg*. This, my Lord, can be easily shown in every particular, partly compass'd by a due Inspection into the Estates abroad, but much more by a good Oeconomy and
Admi-

Administration at home. And yet these are the grateful Returns for so great a Benefaction.

But it may be suspected, that tho the Revenue be increas'd for the future, yet for these ten years past *the Fellowships may have been lessen'd*. The truth of this, my Lord, may be certainly known by the College-Records, where all the Dividends are enter'd ; and 'tis by Dividends alone that the *Value of Fellowships* alters ; all other Emoluments being stated and perpetually at a Par. Every Dividend likewise is equal, one the same as another ; a whole one being in a round estimation 2000 *l*. Now in the last Seventeen Years before me (the time of my Predecessor) I find there were Nineteen Half Dividends ; and in my Ten Years there have been Ten already paid to them, and Four more are ready for them now, and were so in *December* last, if at Mr. *Miller's* Instigation they had not refus'd them. 'Tis a Demonstration then, that their Fellowships have been better in my time, than before ; Fourteen being much more to Ten, than Nineteen to Seventeen. And yet, my Lord, it's notorious, that for the major part of my Ten Years, the very Rents were sunk a Thousand Pound a year lower than formerly, by the excessive low Price of Corn. So that several knowing Men of the University, and some of our own College, have said in my hearing, That if I had not been sent thither by a sort of Providence, they had been forc'd in those low years to shut the College-Gates. But what can be said to some of these Complainers, who dare thus fly in the face of demonstrable Truth ? who, being opposite to a Master in the whole turn of their Lives, hate totally whatever he does, and grin and growl even at Benefactions. Your own Memory, my Lord, will recal to you, how they clamour'd all over the Nation at my first coming, that they were beggar'd and starv'd by the Expences of the Lodg ; when in my first Three Years, while it was finishing,
there

there were three whole Dividends (Six Thousand Pounds) paid among them; a thing that never once happen'd in all the Seventeen Years before. And yet had I been of their Party, had I herded and sotted with them, had I suffer'd them to play their Cheats in their several Offices; I might have done what I would, I might have devour'd and destroy'd the College, and yet come away with their Applauses for a great and good Master.

But yet, my Lord, I own *One* Truth that Mr. Miller has said here, and it's the only one in the whole Petition, *That some of the Fellows* (every one of them his Subscribers) *are reduc'd to great necessity*. But what, I pray, is the true reason of it? not the *diminishing of their Fellowships*, as our Oracle avers; that is refuted above, to a Demonstration. 'Tis not the *lessening of Those*, but the *increasing of something else*: I mean, *the Price of Claret*. For the advance of Twelve Pence in a Bottle repeated every day, must needs now exhaust a scanty Fellowship, *which was before but very small*. This is the grand Article in their Expences, far above all other Charges, of Clothes, or (what are now forgot by them) Books: For I dare pass my word, among all their Debts and Ticks there are none to the Stationers. But they go on,

“ Nevertheless the Fellows and Members of the
“ said College out of a peaceable Disposition and
“ being perswaded by the said Dr. Bentley's fair Promises which he constantly made upon his gaining
“ every new advantage that they should enjoy
“ Peace and Quietness for the future and out of
“ respect to those that made him their Master tho
“ they could not be wholly silent they were unwilling publickly to complain to their Superiours.”

Alas! alas! more dolorous Complaints still, for the loss of *Peace and Quietness*. 'Tis a plain Case, by this Grief, that their Fellowships were too little, and the Bottles came sparingly in, so that out
of

of pure Compassion I'll say nothing to this Article: only take notice of the nice consistency between this and the others. For we were told before, That *even from 1700 the Peace of the College was disturb'd*; and again, what was still worse, That the *Peace of the Foundation has for many years been wholly broken*: but here at last we have contrary News, That all this while *till this last year the Fellows and Members of the College were in a peaceable Disposition*. And the Master, as appears by his constant *fair Promises*, look'd peaceably too. I hope, our learned *Physician* can mix his Drugs, better than his Sentences.

“ Till now again this last year the said Dr. Bentley not only making another exorbitant Demand
 “ of Profits to himself but in order thereunto endeavouring to make an alteration almost thro-
 “ out the whole College in their Dividends and
 “ Dues whereby they are maintain'd and which
 “ they and their Predecessors have for many years
 “ enjoy'd and that in a partial manner and by
 “ such Methods as are before mention'd.”

Yes, yes, my Lord, *Hinc illa lachryma*: 'twas my proposing *this last year* an Alteration of the way of Dividends, that has given your Lordship the Trouble of their Petition and this Letter. Without this, the *peaceable Disposition* had continu'd still; and even this Proposal was *peaceably* agreed to among our selves, and had been concluded and establish'd, had not Mr. Miller at the very day come on purpose to defeat it, alarm'd at the future Prospect of an Unanimity in the College, so threatening to his fancy'd Interest, and vain hopes of being a Representative.

I must confess, my Lord, when I first attempted this Alteration, I durst not promise my self, considering the Men, to effect it amicably at home, without an Appeal to the Visitor. *Omnia praecepi, atque animo mecum ante peregi*. I was aware of the Noise
 and

and Opposition the *Governing Part* would make, who to their own petty Interest for a few Years, would sacrifice the public Advantage and Honour of the House for ever. But having long weigh'd and examin'd my Project, and communicated it to several knowing Men, and all approving it as the greatest Benefaction I had ever done or could do the Society, a Design either not thought on by any Master this Fifty Years, or thought too difficult to be compass'd; I resolv'd by God's Assistance to try, and could not think of dying comfortably till I had made this Experiment, cost what it wou'd. And whether I now succeed (as I trust I shall) or fail in it, I gratulate the occasion of this Complaint, that has given me opportunity to leave the Scheme to Posterity :

——— *Hic onus horret,*
Ut parvis animis & parvo corpore majus ;
Hic subit & perfert : aut Virtus nomen inane est,
Aut decus & pretium recte petit experiens vir.

By the 43d Statute of *Trinity-College*, about the Commons, Stipend, and Liverys of all the Members of the House, it is declar'd, that every year shall be allow'd

		<i>l.</i>	<i>s.</i>	<i>d.</i>	
To a Master of Arts,	{	For Livery ———	001	13	04
		For Stipend ———	002	13	04
		For Commons ———	004	06	08
To a Batchelor in Divinity,	{	For Livery ———	002	00	00
		For Stipend ———	004	00	00
		For Commons ———	004	06	08
To a Doctor in Divinity,	{	For Livery ———	002	06	08
		For Stipend ———	005	00	00
		For Commons ———	004	06	08
To the Master,	{	For Livery ———	004	00	00
		For Stipend and	100	00	00
		Commons ———			
					Besides

Besides the keeping for him three Servants, three Horses, and the furnishing his Lodg.

These were all the Emoluments, that could be had by any Fellow of the College for about a whole Century after the Foundation; except he held an Office of Lecturer, Steward, Bursar, Dean, or Vice-Master; to each of which Officers there was a Stipend allow'd. The overplus of the Year's Revenue, if any was, was to be laid up in the College Treasury for Repairs and Improvements of the Building. The very same Sums appear in all the three Bodies of Statutes, of *Edward VI.* of *Philip* and *Mary*, and of *Elizabeth*, which are now in force. And considering the real Value of Money in those times (of which I shall speak hereafter) the Fellowships were then as good, and the Mastership better, than they are at the present.

The first Money that was taken out of the Treasury by the name of DIVIDEND was (as appears by the College *Conclusion-book* or Register, begun *An. Dom.* 1607. and continu'd to this present time) on *April* 1. 1630. The occasion of it is this; that the College was to be broken up and dissolv'd on account of the Plague; and 900 *l.* was distributed to those that went to the Country, for their maintenance till the Plague should cease: and they left the College accordingly before the 30th of that instant *April*. But what the Proportions of this Distribution were, is now unknown; 'tis known only, that it had no Similitude with the present Dividends; because by the Statute the Master or Vice-Master, the senior Dean and the senior Bursar, were oblig'd to stay in College during that or any Plague; and the Register expresses, that the *Vice-Master* and *senior Officers* did then actually stay.

There were three Dividends more between 1630. and 1633. whereof neither the Sums nor Proportions are specified: And in 1633. *Jan.* 23. there was distributed out of the Treasury 1430 *l.* 1 *s.* 4 *d.*

the Proportions not mention'd. The occasion probably of all these was on account of the same Plague; the dispers'd Fellows and Scholars being not yet return'd to the College.

The next Dividend, the first whose Proportions are now known, or which has any Affinity to the present, was made in the time of the Rebellion, Jan. 8. 1645. Dr. *Comber* the lawful Master, and all the rest of the Fellows being ejected, and one Dr. *Hill* thrust into his Place. The Distribution was, to the Master 75*l.* to the eight Seniors each 25, to each of the other Fellows 20; with a Proviso, *That these Proportions should be no Precedent for the future.* So honourable a Birth, so plausible a Beginning had our present method of Dividends, which the governing part contend for.

In the next Dividend July 7. 1648. (Dr. *Hill* yet Master) new Proportions were introduc'd, to the Master 120*l.* to the eight Seniors 40, to the ninth and tenth Man 30, to the rest of the Fellows 25. And it was order'd, That if any refus'd to receive their Dividend in the said Proportions, the several Sums should be seal'd up in Purfes label'd with the Name of each Refuser, and laid up in the Treasury at their Peril if lost. Which clearly intimates, that the junior part of the College, who had a less Proportion in this Dividend than the former, did not willingly submit to it. Yet however these Quota's were follow'd in all succeeding Dividends till the Restoration: except that for the Year 1654, the ninth and tenth Man had as much as the eight Seniors; and in 1649. it was decreed, That no Senior should have more than a Junior Fellow's Dividend; unless he resided in College above half of the Year: whereas before that time, and now ever since the Restoration, the Seniors have a major Dividend, tho they be absent all the Year, and quite abandon the Discharge of their Office.

But

But then, at the Restoration, 1660. Jan. 2. another great Alteration was made in the Proportions. When a half Dividend was voted to the Master 75*l.* to the eight Seniors 25, to the ninth and tenth Man 20, to the six next in standing 17, to the rest 12*l.* 10*s.* And 'tis there order'd, because there were *a few old Fellows* (*viz.* ejected Fellows then restor'd) below the first sixteen, that they should be allow'd equally to the last six of the sixteen. These Proportions have obtain'd in the College from that time to this, except the temporary Provision for the restor'd Fellows below the sixteen.

But again in 1676. tho the Proportions continu'd the same, yet a mighty Alteration was made in the Fellows Title and Claim to them. For from the beginning till this Year (the Dividends being voted at the Audits in *December*) no Person had any Claim to the Dividend or any part of it, if he was not actually Fellow on the *Michaelmas*-Day before. If a Man died, or forfeited his Fellowship, but the Evening before that Day; neither He nor his Executor got one Penny in the Dividend. But in 1676. it was order'd (and still is in use) that to those that are Fellows the *Michaelmas*-Day before, the whole Share of the Dividend, to those at *Midsummer*-Day $\frac{3}{4}$ of it, to those at *Lady*-Day half, and to those at *St. Thomas's*-Day a quarter be paid, either to them or their Executors.

From this faithful and exact Narrative of the Progress of Dividends from their very beginning, drawn out of the Original Register; I would remark to your Lordship, that, in these frequent and arbitrary Changes made in the Proportions, the forty four junior Fellows have been gradually more and more Sufferers. Their Quota's (being all reduc'd to one common Denomination) at the first in 1645. were to that of the eight Seniors, as 40*l.* to 50. then in 1648. as 31*l.* 5*s.* to 50; and lastly in 1660. and ever since as only 25*l.* to 50. And at

first the eight Seniors alone were distinguish'd by a larger Quota ; then the ninth and tenth Man were taken in ; and lastly all the upper sixteen, Mr. *Miller's governing part* of the College ; and I think they have given good proof, they have *govern'd* well for themselves.

In the Statutes, my Lord, as may be seen above, the main Distinction of one Fellow from another is by the difference of Stipends : And the Stipends are advanc'd, not at all by mere standing, but solely by Academical Degrees ; to a Master of Arts two Pound and a Mark, to a Batchelor in Divinity four Pounds, and to a Doctor five. By the Statutes, and by *Custom* too for the first hundred Years, no Fellow grew one Penny in annual Profits by standing ; unless he either took a higher Degree, or was chosen into an Office. The *Commeatus* was for Meat and Drink equal to all ; the *Liberatura* for *Habit*, advancing but one Noble in each degree ; the *Stipendium* was the only Mony, to purchase Books and other Conveniences.

These *Stipends* are now, and were ever, annually paid to the Fellows, according to the original Sums. But the real Value of the said Sums daily and gradually lessening ; and by the Advantage of the Corn-Act and Increase of Fines for Leases, more Species being yearly paid to the College, than would defray the old Stipends and provide for Repairs ; it was not unreasonable the Dividends of the over-plus should be made to the Fellows, to keep up their Fellowships to the primitive Value. But then these Dividends should have been made, according to the Direction of the Statutes, and in proportion to the old Stipends, being still the same Mony and no more in effect, and arising from the very same Estate. The Doctors, that had the Preeminence before, should have had it still ; and the Batchelors of Divinity been yet above Masters of Arts : and not a new turn been given to the College, the Will of the

the Founders subverted, and all things turn'd upside down: As this very last Year Dr. *Hutchinson* had five Pounds *Stipend*, and Master *Cock*, a Senior, only two Pound and a Mark; and yet to the very reverse of this, Dr. *Hutchinson* was only to have had 25 *l. Dividend*, and Master *Cock* 50.

In the present way of Dividend the Proportions are thus,

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To the Master	150	00	00
To the eight Seniors	50	00	00
To the 9th and 10th	40	00	00
To the next six	34	00	00
To all below in standing	25	00	00

This is what they call a whole Dividend, and a half Dividend is the *Moiety* of these Sums. In this Method the advances are made according to mere standing, nothing is *got* in College, but solely by growing old there; and nothing is *lost*, tho one stick at Master of Arts, unfit either in Learning or Manners, or both, for superior Degrees.

In the way that I propose, the Dividends are proportion'd by Academical Degrees, and a whole Dividend is made by multiplying the *Stipends* of the several Degrees by the same number TEN, so that every

	<i>l.</i>	<i>s.</i>	<i>d.</i>
D. of D. (Stipend 5 <i>l.</i>) will have	50	00	00
B. in D. (Stipend 4 <i>l.</i>) will have	40	00	00
M. of A. (Stipend 2 <i>l.</i> 13 <i>s.</i> 4 <i>d.</i>) will have	26	13	04

And a half Dividend is made by multiplying the *Stipends* by FIVE, the *Moiety* of the Sums above. This I affirm to be the only just method, conformable to the Founders Institution and to the State of the College for the first hundred Years; being really the

the Restoration of the Original Stipends to their primitive value, even to the niceness of a single Farthing, which I thus demonstrate.

'Tis plain by the account above from the College-Register, that a half Dividend and no more may be reckon'd on as certain and regular one Year with another. And it's plain again that the old Stipends for the several Degrees had at the time of our Foundations six times the real value, that the same Sums have now. Which is evident from the *Corn-Act* pass'd in Queen *Elizabeth's* Reign; which states the Price of Wheat for College-Rents at a Noble a Quarter; but now and for this half Century the middle Rate of Wheat is stated in our College-Books at Forty Shillings or six Nobles a Quarter. And so in the same proportion, the Fellows Commons by the Statute are put at four Pounds and a Noble *per Annum*, besides Allowances for Festivals; but now and for this half Century the same Commons have cost Six times that Sum, or Twenty six Pounds a Year besides Allowances for Festivals. Taking therefore the value of the primitive Stipends at six times their Denomination, there was then annually paid for Stipends, in effect of present Money,

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To a D. in D. (5 <i>l.</i> old Stipend)	30	00	00
To a B. in D. (4 <i>l.</i> old Stipend)	24	00	00
To a M. of A. (2 <i>l.</i> 13 <i>s.</i> 4 <i>d.</i> } old Stipend)	16	00	00

Now a half Dividend after my Proposal, which as was shown above is certain every Year, added to the antient Stipends which are now and ever have been paid statedly every Year, make exactly the same Sums to each, even to the niceness of a Farthing;

To

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To a D. in D. (Stipend 5 <i>l.</i> half Dividend 25 <i>l.</i>)	30	00	00
To a B. in D. (Stipend 4 <i>l.</i> half Dividend 20 <i>l.</i>)	24	00	00
To a M. of A. (Stipend 2 <i>l.</i> 13 <i>s.</i> 4 <i>d.</i> half Dividend 13 <i>l.</i> 6 <i>s.</i> 8 <i>d.</i>)	16	00	00

My Lord, I must own my self quite to seek for Demonstration, if this will not pass for one. 'Tis a convincing Proof to me *a priori*, that I have lit upon the true Scheme for the Restoration of the College to its Original Plan laid by the Founders. For this exact Coincidence of the Sums could not have fallen out by chance ; it arises naturally from this Reason, that the same Estate maintains the same number of Fellows now as then ; and that these receive the same real Mony in effect as those did, tho under larger Denominations : so that when I had hit on the true way of Distribution, the equivalence of the Old and New emerg'd of it self.

If it be plain then, that by my Proposal for Dividends the College is plac'd upon its antient Basis, and the Distribution made to each Fellow, as the Founders design'd it ; the remaining enquiry is, Whether really it is *Tanti*, worthy the trouble to introduce it, and extinguish the present Practice that has now obtain'd above fifty Years.

I shall now prove therefore, my Lord, both from Reason and Experience, that the present Custom of making Dividends by mere standing, has already been and ever will be (if continu'd) the Pest and Bane of the Society ; and that the Proposal by Academical Degrees is the only and certain means (in all human view) to make it flourish for ever. And as for the *Trouble* ; give me leave, my Lord, to assure you, that it will be much more trouble to retain

tain the present way, than introduce the new ; such a Progress has been made already : The Majority of the Fellows, besides the Master, are openly for it, and secretly some of the very Subscribers ; all the Objections against it (very poor ones indeed) have been examin'd, refuted, exploded, renounc'd. I have now by me all their Arguments, the labour of the whole Posse for several Months, drawn up by the Pen of the eloquent Dr. *Ayloff*, containing in his own writing above eighteen Pages in Quarto ; which upon one slight reading were all answer'd by me the same Day in Discourse at a Conference, in the presence of some of both Opinions ; and the Event will be seen by this following Certificate under the Hands of Mr. *Cotes* our Astronomy-Professor, and Mr. *Ashenhurst*, our real, not nominal Physician, two Persons known to your Lordship, whose great Characters I shall omit, as not having room to say enough.

Monday, the 12th of December, 1709.

These Papers being deliver'd to the Master by Dr. Ayloff, Fellow of Trinity and University Orator, as containing his Reasons against a new Method of Dividends and settling the Commeatus of the Master, they were read by the Master on the Afternoon of the said Monday at a Conference in the Lodg, present the Master, Dr. Cressar, Dr. Ayloff, Mr. Cotes, and Mr. Ashenhurst ; and Paragraph by Paragraph were answer'd by the Master : so that Dr. Ayloff receded, in whole and in part, from every Argument produc'd in the said Papers ; and confess'd he had receiv'd a satisfactory Answer to each. Witness,

Roger Cotes,
Ward Ashenhurst.

Dr. *Ayloff*, my Lord, neither will nor dares deny this Matter of Fact ; having acknowledg'd the same publicly in College and University. After this Conference all was look'd upon as settled and agreed ;
even

even six of the eight Seniors came to me, and declar'd their acquiescence, and congratulated *Peace and Union* : nay, your Lordship I know was acquainted by Letter from one of the Members, that all Disputes were amicably ended. But upon Mr. *Miller's* coming down at that very Juncture, upon his holding a Consult as College *Physician*, and administering some Doses gratis of *Bourdeaux* and *Carcavella*, their animal Spirits took another Channel, and the next day they were not the same Men. Even Dr. *Aylhoff* himself became one of the Subscribers ; who if he pleases to exhibit the same or new vamp his Papers in their next Address to your Lordship, I shall then give that Answer in Writing, which before I gave in Discourse : tho I'll venture to say, there's not one single Reason in all his eighteen Pages, that he or any of the Opposers really go upon : Something must be said for show ; but the true Reasons, Avarice, Envy, Littleness of Soul, are not conveniently own'd.

My Lord, If the Dividends had been first settled in good and peaceable times, and in a flourishing condition of the College ; without doubt no other Method had been thought on but the Rule and Proportion of Stipends. But in 1645, it was not so much the Choice, as the infelicity of the Society. The true Master, as I said before, and all the Fellows of Superior Degrees had been turn'd out of College ; and 'tis known, there was not one in the the House above Master of Arts, except Dr. *Hill* himself, who was forc'd therefore to invite one Dr. *Metcalf* from St. *John's* to take the Vicemastership. In such a poor and low State, who could think of a Dividend according to Academical Degrees ; when all but one were of the same Degree, and no Advantage got upon that Head ? The *Seven Seniors* therefore, who were plain Masters of Arts, hook'd in to themselves a then *unknown Privilege* upon another bottom. And we see at first, while the

Royal Forces were formidable, they were tolerably modest; 50*l.* to the eight Seniors, and forty to all the rest. But in July 1648, after his Majesty was murder'd, and no further danger fear'd, they encroach'd more upon the Society, 50*l.* to the eight; and to stop the Mouths of the *two Labourers*, the 9th and 10th man, who are occasionally of the *Governing Part*, to them 37*l.* 10*s.* 0*d.* but to the rest no more than 31*l.* 5*s.* 0*d.* and if any of them refus'd, their Quota to be laid up in the Treasury; and if lost, to be at their hazard.

This, my Lord, was pretty arbitrary: but how could better be expected; when Men acted without any Rule or Direction from the Statutes? If once the Seniors have more than they *should*; the next Step is to get as much as they *can*. And so we find, that upon the King's Restoration, when the ancient Fellows after many Years absence were recall'd, all being the *governing part* of the College, and having the rest whom they suffer'd to stay (but thirty three of the whole number) both below them and obnoxious to them; they provided well for their Friends, by raising their Dividends, and sinking all the rest from 31*l.* 5*s.* to 25 Pounds. This was as arbitrary as before, as still proceeding on no statutable Grounds. And indeed, how should they think of the Rule of Stipends? they were too full of Joy and Transport to make such an Inquiry; they found Dividends now in use, which were unheard of while they resided before; they found in this way as good Advantage by being Seniors, as the right way (had they thought on't) would give them by being Doctors. They clos'd in therefore with the Scheme that was in being; only enlarg'd it to comprehend all their Friends, at the cost of the poor Inferiors. But 'tis hard, my Lord, if the forty four Juniors must suffer now and for ever, because then the returning Cavaliers thought their Loyalty merited a Distinction.

'Tis

'Tis in the Name of those Juniors, my Lord, that I press for the Reformation of Dividends ; they are kept down and debar'd of their just Rights and Advantages by the present Method. Put it once upon Academical Degrees ; the Fellows of the last year's Election (who from the first will have at a whole Dividend 26 *l.* 13 *s.* 4 *d.* instead of the old 25) can in seven Years time by taking the next Degree advance to 40 *l.* and in five Years more by being Doctors arrive at 50 *l.* the top of all. And about these Years the Fellowships are commonly quitted by those that have Merit and Reputation. 'Tis a seasonable assistance therefore, to supply them opportunely with Books, and equip them for the World abroad.

On the contrary, a new-made Fellow, on the old foot of Dividends, can never arise above 25 *l.* till he grows gray in the College. The best of them therefore have left their Fellowships, before they arrive at a higher Dividend ; and even those that stay there, and obtain at last 50 *l.* as a *known Perquisite* of old Age, had been much greater Gainers, if while they were yet Juniors, my Method had been introduc'd : for then they had got the 50 *l.* many Years sooner ; and yet, when once gotten, had possess'd it all their days.

My Lord, I find by the College-Register, that of these present eight Seniors, two were thirty five Years standing Masters of Arts, two thirty four, two thirty two, and two twenty eight ; before they were admitted Seniors, and got a 50 *l.* Dividend. The middle rate of these Years, and what a Junior Fellow may expect to be his own chance, is thirty three. Add thirty three to twenty six, the common Age of Master of Arts standing, and the product is fifty nine. And is not that a mature Age, to commence one's Preferment ? Is it not an encouraging prospect, to a Fellow newly elected, that after thirty three Years, he shall grow a little richer ?

What's the value of such a slow Reversion? that has a double uncertainty, not only of Life, but of continuance in the College? On both which contingencies, how few are they out of the whole number of Fellows, that ever get it at all?

I have now the College-Register before me; and I find that since the Restoration, there have only been twenty three admitted Seniors, even including the eight now living. Is not this a considerable number for half a Century of Years? Is this Dividend so beneficial, that has so few Receivers? And, what is more, not one of these twenty three, that when he was once yok'd in the Seniority, did not die in his Harness there. Not one of them ever quitted his Fellowship, either for Preferment or Marriage or the Mastership. I speak of those already dead: and I imagine the present eight, and those that are next Oars to them, will stick as close as their Predecessors; unless the Visiter dispose of some of them.

But then, my Lord, if the present way of Dividends be a loss to the particular Fellows; it is a much more detriment, nay a curse and plague to the whole Society. For by placing the Emoluments upon mere standing without regard to Degrees, it had banish'd all superior Degrees out of the College, and no public Commencement-Act had ever since been kept by any of the House. It will hardly be believ'd, tho both our Register and living Witnesses attest it, that since this way of Dividend commenc'd, since the Restoration to my coming amongst them, but three Persons out of so large a Society had legitimately taken any Degree above a Master of Arts. 'Tis a thing known and acknowledg'd; that, had not I been made their Master, the whole Society at this day had been mere Masters of Arts, except the worthy *Wolfran Stubbe*, a Doctor by Mandamus. And it has happen'd more than once in my time, that the very Officers could not
be

be statutablely chosen for want of superior Degrees. 'Tis true, at present we have several Doctors and Batchelors in Divinity; and that makes the new Proposal now practicable and useful, which was not so, when the old began, in 1645. But the Advantage then got by the said Degrees was but accidental and temporary, and has ceas'd even already: tho it was then obtain'd with almost as much difficulty, as this Proposal is now. And it's in vain to expect, that future Degrees will be regularly taken, while Dividends are continu'd upon the foot of Standing.

'Tis the Direction to the Visiter in the Statute of King Edward, * *That he take care the Honour of the College and the Will of the Founder be maintain'd.* And I am sure both these will be highly violated, if Academical Degrees have not their due encouragement. By the same Statutes, If every Fellow did not regularly proceed Batchelor of Divinity; if he either refus'd, or was judg'd unfit by the Master and Seniors, to take it; he was expell'd out of the House: which at this day is the Statute and Custom too in several other Colleges. But † King Edward went yet higher; and enacted, that even the Doctor's Degree too should be regularly taken by all, upon the same Pain of Expulsion. And tho by the present Statutes of Elizabeth, the necessity of taking those Degrees is remov'd; yet the very same Advantages by taking them, the Priority in College-Livings and Chambers, the Encrease in Livery and Stipend, the capacity to the highest Of-

* Ut Collegii Honos & Fundatoris Mens stare possint. Cap. xlv. de Visitatore.

† Tempus Baccalaureatus & Doctoratus idem sit, quod Statutis Academiæ præscribitur. Qui secus fecerit, & vel tempore vel prælectionibus erraverit, & Præsidis & senatus judicio haud idoneus visus fuerit, & suo tempore gradus hos non susceperit, Collegio moveatur. Cap. xxii.

ces, as of Senior Bursar, Senior Dean, Vicemaster and Master, are still continu'd in these, just as they were in K. *Edward's*: tho they are all made ineffectual by this pernicious way of Dividend, which the Founders ne'er thought on. It is plain then, it was *the Will of the Founders*, that Academical Degrees should be encourag'd in the Society.

And it's as plain too, that the *College-Honour* cannot be supported without them. He that can think otherwise, knows very little of human Nature. The Eight Seniors are describ'd in Statute, as * *Men who both by their Authority and Gravity, and Prudence, are to be reputed Chiefs in the Society, whom all the rest are to reverence*. Can this *Authority* and Respect be inforc'd, without taking the Academical Honours? Will the Youth be induc'd to *reverence* Eight Masters of Arts, whom they see at all publick Meetings thrust down *ad ima Subsellia*? who by the *known Privileges* of that lower Degree, take daily such Libertys, as both *Gravity and Prudence* disallow? No worse a thing need be said against this Dividend, than that we owe to it most of our present Seniors, and those that are to follow them.

But then if the Dignity of superior Degrees will have this Influence upon the Youth; it will have a much greater upon the Persons themselves, that take them. This, my Lord, is the chief Motive that induc'd me into this Cause. I am morally sure, if the new Dividend take place, and Degrees be thereby regularly taken, the College will soon lift up its Head, and be worthy of its Royal Foundation. And this is well enough foreseen by several, who not at all belonging to us malign and obstruct this Affair, out of Envy and Emulation. A Fellow then new elected will thus think with him-

* Hi tum propter auctoritatem, tum propter gravitatem & prudentiam, sint quasi primarii & principes in rep. viri, quos ceteri omnes revereantur.

self, If I do not take my Degree in due time, I must sit down with Loss and Contempt; and to come at that Degree, not my Learning only, but my Manners must pass the Probation; I must both make a Progress in my Studys answerable to their Beginnings; and give no offence to my Governors, by a negligent Discharge of any Office they place me in, or by Gaming or Drinking with the Youth of the College. *Hac salus erit Adolescentibus*; this Constraint will preserve them in that lubricous time of Age; and when they are safely past that, they will never be spoil'd afterwards. Whereas at present, How many sad Examples are there, of very excellent Scholars, undone and ruin'd by a Fellowship? Where they see all Emoluments rise according to Age only; where Character procures nothing, nor Infamy loses: where the vilest Wretch, that is not expell'd, has equal Title to all things with the very best of the Society. Will not Books and Labour be soon abandon'd under such a Temptation? when he sees the Refuse of the House, by mere staying there and meriting nothing abroad, grow up to the certain Inheritance of being Seniors and Governors at home.

And, my Lord, when Fellows bred up under the influence of this new Dividend, that have led a sober and studious Life from their first entrance into the College, shall themselves become the Governors of it, assisted too with the Authority of Academical Honours; what a change will there then be in the House, from what has been of late years? By King *Edward's* Statutes it's plain, that all the upper part of the College were to be Doctors in Divinity. And this new Method will in time have almost the same effect. Such Persons, by a Restraint from their very Title, if they had no other worth, wou'd not go such lengths in Debauchery and Scandal, as some of the present Governors do. But since that Supreme Degree will not be

a Perquisite of mere Age, but a Reward of Learning and Merit ; they would be both useful Men, while they staid in College, and would probably be prefer'd abroad. For it's notorious, That for the first hundred years after the Foundation, *Trinity-College* had as great a share in the Dignitys of the Church, as any other in the Kingdom : but ever since the Restoration, it has had less than the least. And this I attribute chiefly to the ill Influence of the present Dividend, corrupting the Discipline of the House : for both the Calamitys bear date together. And till this Pest is extinguish'd, there's no Comfort for a Master to labour for a short Reformation, which will expire and die either before him or with him : 'tis swimming against a Stream, which when he's old, or infirm, will bear him down the Channel ; 'tis rolling up *Sisyphus's* Stone, which when his Shoulder grows weary or is remov'd, will tumble down the Declivity lower than it was before.

Your Lordship can now see what a senseless Calumny it is, that I design to *depress* the Seniority by the Alteration of Dividends. On the contrary it's manifest, that if my way take place, their Authority and Honour will highly increase, even to the first Elevation of King *Edward's* time : and it will then be difficult for a Master to keep up a Pre-eminence, when he's surrounded with a Seniority of Doctors. Neither is any Money withdrawn from them by this way : for if these present Seniors have Fifty Pounds a-piece by standing, the future will have as much on a more honourable head, and arrive at it the sooner. Nay, that these present antient Worthys, who are *past* their Degrees without ever coming *at* them, were to be no Sufferers by the Change, this following Clause will shew, which was laid before them as part of the Proposal :

And

And because several of the present Sixteen Seniors, while the College was under the ill Influence of the former Practice, did not take superior Degrees; and cannot now at so advanc'd an Age conveniently take them; it is thought equitable, and is resolv'd by Master and Seniors, That each of the present Eight Seniors (during his being Fellow of the College) receive Fifty Pounds whole Dividend, tho he be not Doctor of Divinity: and the present Ninth and Tenth Man shall receive Fifty Pounds, as soon as they shall be of the Eight Seniors, tho they be not Doctors; and each of the last Six of the present Sixteen shall receive Forty Pounds, tho they be not Batchelors of Divinity.

This, my Lord, would have been confirm'd to them by the Consent of the College, had we amicably ended this Matter at home; and their Title to it by this Order had been as good and the very same, as what they have now. But whether after this publick Disturbance the same Favour shall be granted, especially to All of them, must be refer'd to the Visiter, or to the Suffrages of the whole Society.

I have hitherto consider'd the Dividend as it regards the *Fellows* of the College; I shall now speak as briefly as I can, to the remaining part of it that concerns the *Master*.

The Master, as I have said above, upon the foot of the old Dividend, had One Hundred and Fifty Pounds, when the Seniors had Fifty Pounds. But because the new Proposal proceeds upon Stipends, and the Master's Stipend is included with his Commons in the same Sum of One Hundred Pounds; 'twas disputable how much of that Sum was to be taken for Stipend, and how much for Commons. Whereupon this Clause was laid before them in the close of that Proposal.

And lastly, whereas the Master's Stipendium and Commeatus are join'd in one Sum of One Hundred Pounds; it is to be refer'd to proper Arbitration, what

part of the Sum may be accounted Stipend, and what *Commeatus*. And then the same Rule will be for the Master, as is for all the rest of the Society, viz. That the Sum of the Master's Stipend be multiply'd by TEN for his whole Dividend, and the Sum of his *Commeatus* be increas'd in the same proportion as the *Commons* of all the present Fellows are.

My Lord, I am yet ready to make this reference to any proper Arbitration; but it was thought then, that such Arbiters might be found in the Society. For the Offer was so fair and reasonable, that even Impudence it self durst not gainsay it. The Master was here put upon the same Plan with the lowest Fellows in the College. If their original Stipend be multiply'd by TEN to make a Dividend; and the old Allowance for their *Commons* be now increas'd about SIX; why not the same Rule for the Master? Is not he in the same Station, and oblig'd to the same Expences, that all his Predecessors were? When all the rest of the College are restor'd by these Augmentations to the Primitive Value of their Fellowships; shall the Mastership alone be deserted, as if that was the meanest Post in the whole Society? Nay tho a Master could be suppos'd to concur in betraying it; yet how could he oblige his Successors to acquiesce, who by Royal Patent, and not by the choice of the Fellows, have all the Rights of their Predecessors demis'd to them? and who durst presume, or would have the Will, to go to lessen a Preferment, which is always in the Gift and Nomination of the Crown.

The Masters, instead of such a stated Increase of their *Commeatus* proportional to that of the Fellows, have for too long time had by Prescription a Right to Bread, Beer and Fuel at the College-Charge, for the use of the Lodg. The Expences of which, varying according to the number of the Master's Families, or the times of their Residence, have always given occasion to Discontents and Quarrels in the

the House. Every factious and petulant Fellow, that was disgusted with any Master, had hence a never-failing Pretence to raise Clamour and Disturbance. Sometimes the Masters had no right at all to these things: Sometimes they exceeded their Bounds, and were therefore to be stinted. For about fourscore years the College has been seldom quiet from Suggestions of this kind. When Dr. *Comber* was Master, these two Orders were made and registred.

Aug. 17. 1636. *At this Meeting of the Master and Seniors about Dr. Roe (the Pandoxator) it was declar'd by the Voices of the Sen. upon the Master his propounding, that the Master should receive his Bread and Beer from the Bakehouse and Brewhouse, as the Masters of this College had always done.*

Sept. 14. 1636. *As this day, the former Decree was confirm'd by those whose Hands are subscrib'd, that the Master shall take his Bread and Beer without the stinting of the Officer.*

Here we see there were *Roe's* and *Miller's* so early in the Society: and there has not been one Master since the Restoration, that, as living Witnesses still remember, was not calumniated on this account. There are abusive Sayings upon each of them, not fit here to be mention'd, that to this day are convey'd down by *Tradition*, and sometimes make part of Discourse. All good Men therefore of the College have long desir'd, That a *Commutation* were made for these; as before was made for some other Articles, as Grocers and Chandler's Bills, Charge of the Master's Garden, and of his Coach and Horses: for the two first of which a stated Composition was made between the College and the Master near a hundred years ago, and for the last more recently in the time of Dr. *Barrow*. And now the true Rule of setting this Commutation is understood and allow'd, which never was before; I dare say it would be agreed in one day, if the Incen-

diary was out of the way. For besides the common Mischief to a Society from Murmurings and Discontents, this has one peculiar Malignity, that the more a Master does his Duty by constant Residence, and the more hospitably and honourably he lives; the higher these Expences grow, and the Grumblers have more handle for railing.

I my self therefore, my Lord, who have resided more than most of my Predecessors, and have yearly spent some Hundred Pounds of my own above all Emoluments of the Master-ship, must without doubt have my Share of the common Cry against all Masters for *the Expences of the Lodg*: tho as to mine, I dare stand to the Test, that in no one Year they exceded, what upon an Equality with the Fellows was really the Master's Due; and what, comparing the length of Residence, was expended by those before me. For the sake therefore of all my Successors, and the public Benefit of the House, I with many others of the College demand, That this perpetual Occasion of Quarrels (which is in no College besides) be remov'd from ours; and the Master's *Commeatus* be establish'd upon the statutable foot in parity with that of the Fellows. I am sure that this, next to that of the Dividends according to Degrees, is the greatest Blessing now wanting to the Society.

And give me leave, my Lord, on this occasion to take notice of one Calumny, that has been spread abroad by the *Millers* with as much Industry as Malice. A few Years ago, I had the Honor to have three young Noblemen committed to my Care, upon condition they should diet and lodg with me; otherwise they should not have come to the University. I inquir'd before of some of the knowingest Fellows, what had been the Practice of former Masters; being aware that the Misrepresenters would take that handle to traduce me: tho in all the seven Years before, among all the Slanders they had
inven-

invented, they had never once asperst me with *Covetousness*. I understood by them, that Bishop *Pearson* had a Nobleman with him in the Lodg for some Years, that Dr. *Barrow* and others us'd the same Freedom for a Master of Arts their Friend; that I was not for that trifle of a few College-Loaves (the Cost of which would be compensated many times over) to deprive the House of so much Honour and Advantage. The Year the Three staid with me (and Three to stay one Year, is no more than one to stay three) was so excessively low for the Price of Corn; that I dare appeal to the College-Books, that the additional Expence of that Year came much short of twenty Pounds in the whole. To ballance which, that Year I at my own charge made Sash-windows to three Chambers in the Lodg, which alone amounted to a greater Sum: that Year I gave them two hundred Pounds to their Chappel; which is twice as much as my Predecessors gave to the Library, a Building of thrice the Expence: that Year one of those Noblemen, the ingenious and learned the Lord *KINGSTON*, gave a hundred Pounds to the Chappel; and I doubt not but the others in proper time will be among our Benefactors: that Year, when the Audit was made, these very Seniors pass'd those accounts for the Lodg without the least Complaint or Exception. And yet now this is blown up into a great Article of Complaint; and that petty Charge now magnify'd into some hundreds of Pounds; *Nunc immensa cavi spirant mendacia folles*.

But the Petitioners at last conclude, saying,

“ We are necessitated at this time to petition
 “ and complain to your Lordship promising within
 “ a convenient time to lay before you in such me-
 “ thod as you shall appoint the several Particulars
 “ wherein the Truth of what is here alledg'd will
 “ manifestly appear Humbly craving in due time
 “ such

“ such Sentence as to your Lordship’s Wisdom and
 “ Justice shall seem meet.”

My Lord, saving to my self as before, all due and legal Exceptions to this Petition; whether for want of Form or want of Sense; I join with them in their Request, that you would appoint them to lay before you the *Particulars* they accuse me of. Tho, could the Experiment be made, and these Subscribers be ask’d separately, I durst pawn the Issue of the whole upon this, that not three of them know the *Particulars* to make good this general Accusation. However let Mr. *Miller* draw up that, as he has done this, and they as conscientiously subscribe it. I shall then perhaps make bold to give your Lordship the trouble of a second Letter, as a Vindication of my self, tho not in a judicial way.

For, my Lord, I humbly conceive, that besides other Errors and Defects mention’d above, even the Blunder of this last Paragraph does so invalidate, cassate, null, and nonsuit all that’s said here; that you will not judicially order a Progress in this Cause, till they begin all anew. *WE* is the Stile here, *WE* *are necessitated to complain*; but the Complainers and Sufferers above are not the same Persons. For there the word is all along *THEY*. There it is *THEIR Master* (not *OUR*) *THEY* *should enjoy Peace*, *THEY* *could not be wholly silent*, *THEY* *were unwilling to complain*: and so on, till here at last we come to *WE* *are necessitated to petition and complain*. But what, my Lord, have *WE* to do to petition and complain for what *THEY* suffer’d? I am not at all oblig’d to answer, till either *WE* are the Sufferers, or *THEY* complain in their own name and behalf. In the mean time your Lordship sees the great Abilities of our *Galenical* Lawyer: and you’ll be so far from blaming me for ejecting him out of the *Physic* Fellowship; that tho he had the *Law* Fellowship, the Cause would go hard with him by any Jury of that Profession.

As

As to the Catalogue of Subscribers, I shall make my present Reply to that in a Catalogue of those that refus'd ; and subscribe my self

Your Lordship's most

Obedient Humble Servant,

Richard Bentley.

<i>Wil. Mayor</i> Sen. Fellow.	<i>Mountague Lloyd</i> M. A.
<i>Mic. Hutchinson</i> D. D.	<i>Tho. Pilgrim</i> M. A. Tutor.
Junior Dean.	<i>Tho. Hill</i> M. A.
<i>John Hasket</i> M. A.	<i>John Williams</i> M. A.
<i>Phil. Bouquet</i> B. D.	<i>J. Barnwell</i> M. A. Tutor.
<i>Gilb. Malkin</i> B. D.	<i>Ward Ashenhurst</i> M. A.
<i>Hen. Eden</i> B. D. Head	Tutor.
Lecturer.	<i>George Tollet</i> M. A.
<i>Marshall Greswold</i> M. A.	<i>Abraham Franch</i> M. A.
<i>John Baker</i> B. D. Tutor.	Tutor.
<i>Edw. Rudd</i> B. D. Tutor.	<i>Vyner Snell</i> M. A.
<i>James Malled</i> M. A.	<i>James Furin</i> M. A.
<i>John Towersey</i> M. A.	<i>David Fleming</i> Inc. A.
<i>Rob. Uvedale</i> M. A.	<i>Christ. Hufsey</i> Inc. A.
<i>Edw. Frere</i> M. A.	<i>Ant. Corbier</i> Inc. A.
<i>Rob. Parran</i> M. A.	<i>Richard Walker</i> Inc. A.
<i>John Whitfield</i> M. A.	Tutor.
Steward.	<i>Rob. Johnson</i> Inc. A.
<i>James Uvedale</i> M. A.	<i>Sam. Knight</i> M. A.
<i>John Reddington</i> M. A.	<i>Wil. Smith</i> M. A.
<i>Rog. Cotes</i> M. A. Astro-	<i>Nicholas Clagget</i> M. A.
nomy Professor, and	Tutor.
Junior Bursar.	<i>Alex. Burrell</i> Inc. A.

FINIS.



ERRATA.

PAG. 8.	Line 27.	<i>seditionis</i>	r. <i>irregular.</i>
9.	22.	<i>giving more</i>	r. <i>giving it more.</i>
	ult.	<i>intervenienda</i>	r. <i>interveniencia.</i>
11.	15.	<i>began</i>	r. <i>begin.</i>
12.	penult.	<i>have</i>	r. <i>have the.</i>
14.	penult.	<i>Robbing</i>	r. <i>Robbery.</i>
17.	4.	<i>now the</i>	r. <i>now one of the.</i>
19.	32.	<i>but</i>	r. <i>yet.</i>
22.	35.	<i>get little</i>	r. <i>get but little.</i>
41.	12.	<i>when</i>	r. <i>that.</i>
51.	13.	<i>will succeed that</i>	r. <i>will then succeed.</i>